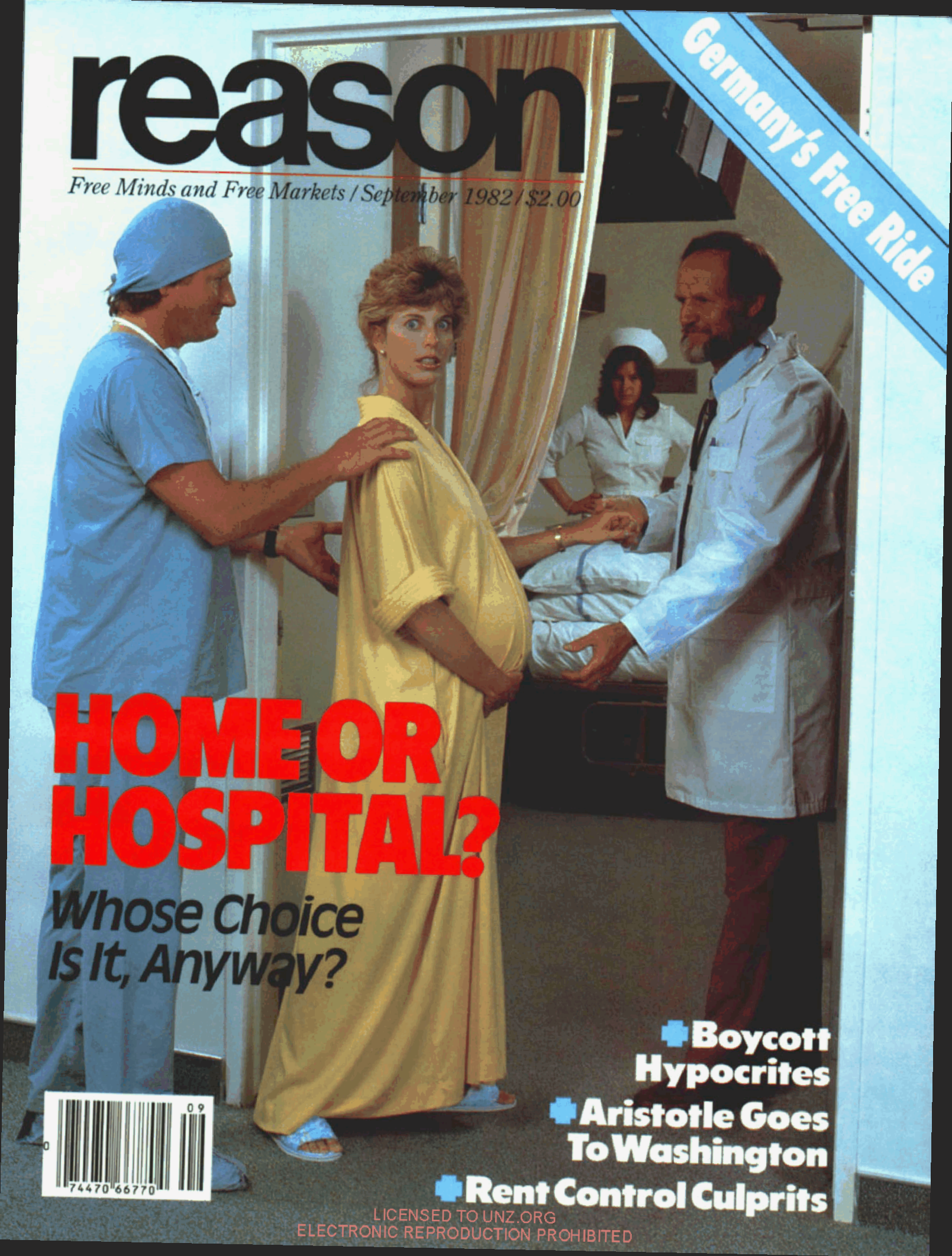
reason

Free Minds and Free Markets / September 1982 / $2.00



Germany's Free Ride

HOME OR HOSPITAL?

Whose Choice Is It, Anyway?

- Boycott Hypocrites
- Aristotle Goes To Washington
- Rent Control Culprits

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

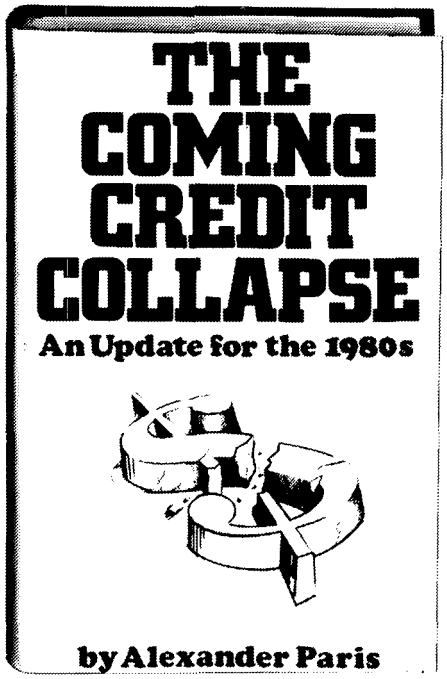
HOW TO SURVIVE THE SUPER CRUNCH

BE READY FOR THE CRUNCH - NOW!

Increasing economic instability. Surging inflation. Declining productivity. Credit markets out of control. Growing volatility. Skyrocketing interest rates. Record bankruptcies. Progressively worsening credit crunches. Alexander Paris predicted it all in 1974 with the first edition of *THE COMING CREDIT COLLAPSE*. More importantly, he explained **why** it all had to happen in a step-by-step description of the basic underlying forces which led to all our economic and financial problems and why they would get worse. Then came his complete *UPDATE FOR THE 1980's* in which he predicted with uncanny accuracy the events of 1980-1982.

READ HOW THIS BOOK DESCRIBED 1980-1982 BEFOREHAND

- The worst credit crunch of the post-war period
- Record interest rates
- Record personal & business bankruptcies
- A serious simultaneous cyclical correction for both the auto and housing industries
- Severe pressures on the savings & loan industry
- A major shake-up in the entire financial industry
- Bad news for state and local governments and municipal bonds
- Falling commodity prices
- Record lows in corporate liquidity
- Overextended home buyers and lower housing prices
- The death of the fixed-rate mortgage
- A merger and buyout mania



VITAL PREDICTIONS

The first step to surviving today's precarious credit mess is an understanding of the basic causes -- something which Paris clearly provides together with documented evidence. There are also unemotional strategies for survival and no-nonsense investment suggestions you can use **today.**

- 28 specific projections for the 1980's
- 10 important characteristics for every stock
- How to be ready for either hyperinflation or deflation
- How to survive continuing "Controlled Chaos."
- How to turn government intervention into profits
- How to play the credit cycle

CREDIT ANALYSIS ALL YEAR LONG!

What will the future bring? Let the man who foresaw today's credit problems help guide you through the confusion with his monthly newsletter, *FREE MARKET PERSPECTIVES*. Alexander Paris' years of extensive credit research not only uncovered the long-term trend of financial deterioration which keeps bringing us closer to the brink of a total credit collapse but also regularly recurring and predictable credit CYCLES. He applies his unique credit cycle analysis to investment and economic timing on a continuous basis for his readers.

With *FREE MARKET PERSPECTIVES* you'll learn to balance highly emotional short-term events against the backdrop of the long-term economic climate and recurring credit cycles -- always giving you the broad perspective you need in today's high-risk environment. There is a time to be in debt and a time to be liquid. This vital newsletter can be your key to timing and financial survival.

How To Get This Valuable Book FREE

Subscribe to *FREE MARKET PERSPECTIVES* for one year and we'll send you a bonus copy of *THE COMING CREDIT COLLAPSE: An Update for the 1980's*. Read at least 3 issues and if you are not completely satisfied, you may receive a refund for the unused portion of your subscription upon request. And keep your free book.

ABOUT THE AUTHOR

Alexander Paris is an economist and Senior Vice-President of Kanne, Paris & Hoban Inc. a Chicago-based investment consulting firm where he is an advisor to major financial institutions. He is also president of Barrington Associates, a research group specializing in natural resource investment, credit market strategies and investment partnership management. He has over 20 years experience in the investment industry and is widely known for his definitive predictions on interest rates and business cycles.

He is author of *A COMPLETE GUIDE TO TO TRADING PROFITS* the best selling classic *THE COMING CREDIT COLLAPSE* and *THE COMING CREDIT COLLAPSE AN UPDATE FOR THE 1980s*. He is editor and publisher of the *FREE MARKET PERSPECTIVES* and *INTERNATIONAL ASSET INVESTOR* newsletters.

☐ **NEWSLETTER PLUS BONUS BOOK:** U.S. $85 (Add $20 for airmail delivery outside North America. Please enter my one year (12 issues) subscription to FREE MARKET PERSPECTIVES. Also rush my FREE bonus copy of THE COMING CREDIT COLLAPSE: An Update for the 1980's.

☐ **BOOK ONLY:** U.S. $12.95. Please send me _____ copies of THE COMING CREDIT COLLAPSE: An Update for the 1980's.

☐ My payment of U.S. $_____ is enclosed. Charge my: ☐VISA ☐MasterCard U.S. $_____

Card # _____ Expiration Date _____

NAME _____

STREET ADDRESS _____

CITY _____ STATE _____ ZIP _____ COUNTRY _____

Mail checks to: HMR Publishing Company, P.O. Box 471, Barrington, Illinois 60010

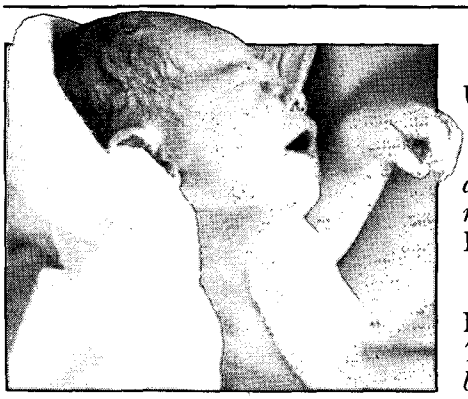
Overseas subscribers: Please add U.S. $20 for air mail costs for newsletters and $10 for books. **R**

SEPTEMBER 1982/VOL. 14, NO. 5

reason

Free Minds and Free Markets

FEATURES



Troubled birth 23

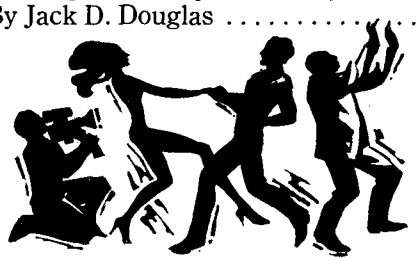
UP AGAINST THE BIRTH MONOPOLY
Who would think that the natural process of giving birth to a child could give rise to issues of individual liberty, the First Amendment, and the power of the state? Just ask home birth proponents faced by mounting opposition from the medical establishment.
By Sarah E. Foster **23**

RENT CONTROL: BLAME THE CONSERVATIVES
The right blames the left for laws that ignore property rights, but skeletons in their own closet opened the door.
By Tibor R. Machan **33**

On the march 34

THE PHILOSOCRATS ARE COMING, THE PHILOSOCRATS ARE COMING
The philosopher-king may have no place in the modern, democratic welfare state, but the philosopher-bureaucrat? A growing army of them is gearing up for action.
By John O. Nelson **34**

WHERE TO GO WITH NATO
How much longer will American taxpayers stand for European dependence on defense handouts? An American citizen issues a warning to a European head of state.
By Jack D. Douglas **39**



Above criticism? 43

LETTUCE AND SEX
Boycotting a product can be a powerful, private force for change. Should the legitimacy of the economic boycott really depend on whose ox is being gored?
By Hugh Macaulay **43**

DEPARTMENTS

EDITORIAL/Nuclear Freeze? **8**
VIEWPOINT/Flat-Rate Debate **47**
TAXES/Familial Tax Savings **48**
HEALTH & WELFARE/Smart Pills Revolution **49**
SPOTLIGHT/One-Room School Master **50**

NOTES **4**
LETTERS **10**
BRICKBATS **12**
TRENDS **14**
ARTS & LETTERS **51**
RUDEBARBS **56**

Cover photograph by Bill Boyd

REASON (ISSN 0048-6906) is published monthly by the Reason Foundation, 1018 Garden St., Santa Barbara, CA 93101. Second class postage paid at Santa Barbara and additional mailing offices. **Postmaster:** send address changes to REASON, Box 28897, San Diego, CA 92128.

CORRESPONDENCE: Send *new subscriptions* and *address changes* (include address label and new address) to REASON, Box 28897, San Diego, CA 92128. (714) 485-6535. Allow six weeks. Send *manuscripts* (for return, include SASE), *letters*, and *classified ad orders* (with payment) to REASON, Box 40105, Santa Barbara, CA 93103. (805) 963-5993.

COPYRIGHT © 1982 by the Reason Foundation. All rights reserved. Reproduction or use, without permission, of editorial or graphic content is prohibited. Opinions expressed in signed articles and columns do not necessarily represent the views of the editors or of the trustees, officers, or advisory board of the Reason Foundation.

reason

Editor-in-Chief
Robert Poole, Jr.

Executive Editor
Marty Zupan

Art Director
Matthew Burbott

Assistant Editor
Paul Gordon

Senior Editors
Manuel S. Klausner, Tibor R. Machan

Book Review Editor
Lynn Scarlett

Contributing Editors
Tom Bethell, Bruce Bartlett, David Brudnoy, Joe Cobb, James Dale Davidson, Mark Frazier, John Hospers, Eric Mack, Henry G. Manne, William Marina, Lowell Ponte, Alan Reynolds, Murray Rothbard, Thomas Szasz

Foreign Correspondents
Prakash Aswani/*Middle East*, Rick Bolstler/*Canada*, Anne Brincker/*Denmark*, V. R. Forbes/*Australia*, Ole-Jacob Hoff/*Norway*, John-Henri Holmberg/*Sweden*, Hubert Jongen/*The Netherlands*, Riccardo La Conca/*Italy*, Henri LePage/*France*, Leon M. Louw/*South Africa*, Guy de Maertelaere/*Belgium*, H. Joachim Maitre/*West Germany*, N. G. Molinelli/*Argentina*, Luis Reig/*Spain*, Eben Wilson/*England*

Departments
Steven K. Beckner/*Money*, David Brudnoy/*Theater*, Timothy Condon/*Taxes*, Patrick Cox/*Spotlight*, Mark Edward Crane/*Brickbats*, John Hospers/*Movies*, Randall K. Hylkema/*Rudebarbs*, Robert James Lee/*Washington Watch*, Richard Mitchell/*Language*, Durk Pearson and Sandy Shaw/*Health & Welfare*, Robert Poole, Jr., and Paul Gordon/*Trends*

Business Manager
Madelyn Romaszewski

Advertising Director
Robert Flickinger

Office Manager
Cathy Chmel

Staff
Elizabeth Anderson, Ashley Brooks, Jan Jurgensen, Gaye O'Callahan, Michele Segan

Typesetting
Jean Graphics

ADVERTISING: For display advertising contact Robert Flickinger, 1018 Garden St., Santa Barbara, CA 93101. (805) 963-5993. Spectrum Network Advertising (212) 838-4120. For classified ads, see Classified page, this issue.

SUBSCRIPTIONS: Subscribers are members of the Reason Foundation. Membership is $19.50 per year. Outside North America add $8/year for surface; $36/year airmail. Payment from Canada: US dollar postal money orders only. Send orders to REASON, Box 28897, San Diego, CA 92128.

BACK ISSUES: Obtain list from REASON Back Issues, Box 40105, Santa Barbara, CA 93103. Vols. 1-4 are available on microfilm from University of Southern California Library Micrographics Dept., University Park, Los Angeles, CA 90007. Vols. 5 and up are available from Xerox University Microfilms, 300 N. Zeeb Rd., Ann Arbor, MI 48106. Indexed in *America: History and Life; Historical Abstracts; Public Affairs Information Services Bulletin;* and *Public Issues Index.*

NOTEs

Working on this month's cover story on home births was an interesting experience. Much of the literature put out by home birth advocates is strongly anti-technology (hospitals, drugs, instruments) and antiprofits (doctors). My own experience doesn't square with their horror stories. When I gave birth several years ago, it was in a hospital and attended by a physician. The setting and people were warm and friendly, and my wishes were followed. I don't doubt that there are some horror stories, but the point is that they shouldn't be considered crucial in the home birth controversy. Nor should my experience. What *is* important is the issue of freedom of choice. If I have another child, I believe I will want to deliver it in a hospital. I want to have that choice. But I want others to be able to choose home birth—without being deprived of whatever help they wish to secure.

—M. Z.

Two of my friends at other think tanks are now editing newsletters aimed at corporate executives. John von Kannon, treasurer of the Heritage Foundation, is putting out *Policy Digest*, a monthly review of research findings and new books (for example, our own *Instead of Regulation*, reviewed last April). And former REASON assistant editor Christine Dorffi is now editing *Executive Book Digest*, a monthly summary of chapters from important books that reflect the involvement of the Institute for Humane Studies. Both newsletters are free to executives. Write: Heritage Foundation, 513 C St., NE, Washington, DC 20002, and Institute for Humane Studies, Box 1149, Menlo Park, CA 94025.

For the fourth time in a year, my input has been sought by Washington policymakers. This time the subject was the postal monopoly on first-class mail. At the request of Sen. Steve Symms (R-Idaho) I submitted testimony on this subject to the Joint Economic Committee in June. Copies of the testimony, "The Case for Postal Competition," are available from the Reason Foundation.

Reprints and condensations of REASON articles continue to reach a large audience. Last August's much-quoted cover story on street privatization in St. Louis is having yet another reprinting, this time in the quarterly *Current Municipal Problems*. Dale Gieringer's May article on tax credits for charity has graced the op-ed pages of several newspapers in condensed form, including the *Des Moines Register* and the Harrisburg (Pa.) *Evening News*. The latter paper has also published a condensation of Jack Harris's July article on condominium conversions.

I have joined with two other Santa Barbara-based publishing people—Jim Lance and Clyde Packer—to raise money for Polish medical schools. Last July the Polish government canceled all subscriptions to foreign medical and scientific journals due to a shortage of hard currency. Since then, Poland's 10 medical schools have been unable to receive some 500 American journals. Our committee is seeking funds to buy replacement subscriptions so that Polish medical schools can continue to follow US medical techniques rather than depending on Russian medicine. Contributions may be directed to Magazines for Poland, Box 20093, Santa Barbara, CA 93120. All will be promptly acknowledged.

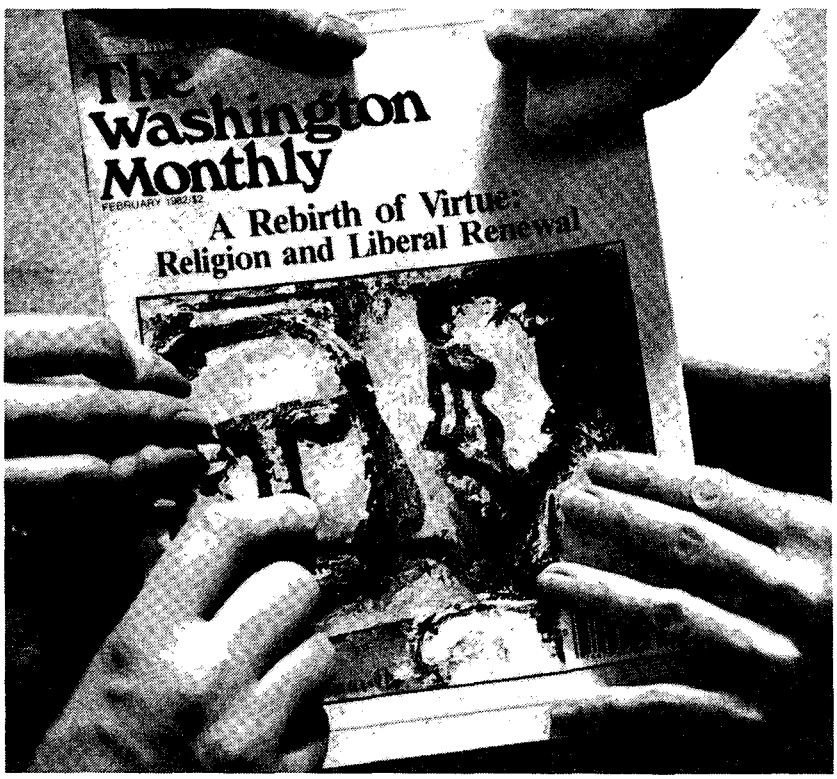
I'm pleased to welcome to the REASON team a new advertising manager, Robert Flickinger. Bob is a graduate of Occidental College in Los Angeles. He has worked on the advertising sales staff of the Inflight Publishing Group of Ziff-Davis in New York and for several other publishing firms in the Los Angeles area, including MPA International, publisher of the *Official Talent & Booking Directory*. Bob is enthusiastic about REASON's potential and expects you to see some exciting new ads in our pages in the months ahead.

Between 1944 and 1947, thousands of innocent people were forcibly repatriated to the Soviet Union and Yugoslavia as a result of the Yalta agreements. Large numbers met an early death and many more were sent to labor camps. Funds are now being raised in England to erect a monument to these victims of big-power politics. Sponsors include Malcolm Muggeridge, Nikolai Tolstoy, Lord Bethell, and Rebecca West. Contact Yalta Victims Memorial Fund, Coutts & Company, 440 Strand, London WC2R OQS, England.

—R. P.

"It's the first magazine everybody grabs for when it comes into the office."

Producer, 60 Minutes



Tired of being the last one in the office to get your hands on **The Monthly?** Or maybe you couldn't even find it? Either way, while you waited you would have agreed with NBC's *John Chancellor* that **"people spend a little more time than usual with this one."**

So you dispensed with the pleasure of reading the magazine *The N. Y. Times* calls **"indispensable."** Missed reading what *Time* magazine calls **"must reading."**

While we were, in the words of *The Washington Post,* doing our **"specialty—politics and government—better than any other magazine around,"** you were left with, well, any other magazine that was around.

Please start my subscription. Every month I'll receive new ideas on politics, government, and the press, and I'll save $7 off the regular price.

SEND ME: One year (11 issues) for $15
7 issues for $9.50

Name _____

Address _____

City _____

State _____ Zip _____

☐ Payment enclosed
☐ Bill me

RE2A

Mail to:
The Washington Monthly
2712 Ontario Road. N.W.
Washington D.C. 20009

Additional charges, foreign subscriptions: Canada, $3; other, $25 air mail, $3 surface mail.

Obviously you need your own subscription.

Take any 4 books for

They're yours with membership in the Conservative Book Club, and your agreement to buy 4 more books over the next 2 years at regular Club prices (*which always mean nice savings*).

2136 NANCY -- *Bill Libby & Nancy Reagan.* Our favorite First Lady. **$9.95**

2102 FREE TO CHOOSE -- *Milton & Rose Friedman.* Bestselling exposition of why freedom works better. **$9.95**

2210 SAFIRE'S WASHINGTON -- *Wm. Safire.* America's hottest columnist. "Delicious potshots at liberal pols." — *Publishers Weekly.* **$15.00**

2242 EDMUND BURKE AND HIS WORLD -- *A.P. Miller.* Superior introduction to the man and his thought. **$12.95**

2253 THE EISENHOWER DIARIES. More conservative than his policies. **$19.95**

2298 PRESIDENTIAL ANECDOTES -- *P.F. Boller.* From Washington on. "Robust, entertaining ... compulsive reading." — *Publishers Weekly.* **$14.95**

0413 AMERICAN CAESAR: Douglas MacArthur, 1880-1964 -- *Wm. Manchester.* "As fine a piece of military biography as anything in our history." — *Chicago Sun-Times.* Startling revelations; controversial. 110 photos, maps. **$15.00**

0429 THE THIRD WORLD WAR: August 1985 --*Gen. Sir John Hackett.* Gripping scenario. Bestseller. **$12.95**

0437 THE RIGHT STUFF -- *Tom Wolfe.* Stylish bestseller about the astronauts. "Superb." — *NY Times.* **$12.95**

0498 THE PLIGHT OF THE ENGLISH -- *B. Cottle.* Are you making these mistakes? **$7.95**

2167 AMERICAN HYMNS, OLD AND NEW. Over 600 hymns, 17th-20th century, in 2 handsome volumes of 1,484 pages. Words and music, plus background of composers. *Counts as 2 books.* **$55.00**

2291 WINSTON CHURCHILL AND HIS INNER CIRCLE -- *J. Colville.* By his private secretary. **$13.95**

2292 THE REAGAN REVOLUTION -- *Evans & Novak.* Top news team, best report on the great breakthrough. **$12.75**

2282 PAPER MONEY -- *"Adam Smith"* Bestseller and "quite simply the best exposition available to the general reader." -- *Time.* **$14.95**

0544 THE JOYFUL CHRISTIAN -- *C.S. Lewis.* 127 memorable selections from the premier religious writer of our time. **$7.95**

2223 THE SWEETHEART OF THE SILENT MAJORITY -- *C. Felsenthal.* Respectful portrait of Phyllis Schlafly, up close. **$13.95**

2020 SAFIRE'S POLITICAL DICTIONARY -- *Wm. Safire.* "Witty, devilish, erudite...the perfect political lexicographer." -- *NY Times.* "Definitive; also fun." -- James J. Kilpatrick, *Human Events.* **$15.95**

2280 THE TIME OF STALIN -- *A.V. Antonov-Ovseyenko.* By a survivor of the bloodiest butcher in history, "a priceless contribution...history in the raw." -- Robert Conquest. Rare photos. **$19.95**

2250 THE CONSERVATIVE MIND -- *Russell Kirk.* 6th Edition of the classic that launched today's conservative movement. **$16.95**

2155 THE BRETHREN -- *B. Woodward & S. Armstrong.* #1 bestseller reveals the foibles of the Supreme Court, from the inside. **$13.95**

2159 WILL -- *G. Gordon Liddy.* Brutally frank, bestselling autobiography. "Most striking...is what it reveals about the kind of man who will do anything to stop those he sees as his country's enemies." -- *Time.* **$13.95**

2156 $10 WILDCAT -- *J. P. Allenbright.* How to play the U.S. Government's oil and gas lease lottery. **$14.95**

2264 THE DEATH OF INNOCENCE -- *S. Janus.* How the Sexual Revolution claims its first victims —our children. *For mature readers only.* **$12.95**

2290 NEVER COMPLAIN, NEVER EXPLAIN -- *Victor Lasky.* "Hard-hitting biography lifts the veil on Henry Ford II and his company as no other book has done." -- *John Barkham Reviews.* **$13.95**

2255 HOW TO LIMIT GOVERNMENT SPENDING --*Aaron Wildavsky.* Don't let them tell you it can't be done. Here's how. **$11.95**

2226 CHURCH IN FRENZY -- *Rev. W.V. Rauscher.* Chilling look at the outrages that are passing for Christianity. **$9.95**

2188 DO IT YOURSELF AND SAVE MONEY! Over 500 ideas from the editors of *Consumer Guide.* **$14.95**

2249 THE NEW RIGHT: WE'RE READY TO LE --*Richard A. Viguerie; introduction by Jerry Falwe* "A blueprint for a peaceful revolution, nothing le than a rebuilding of the American republic." -- S John East. **$8.95**

2269 HOW TO STAND UP FOR YOUR RIGHTS WIN! -- *Roy Cohn.* Advice from one of the sharpe lawyers. **$13.95**

2120 THE FOURTH MAN -- *A. Boyle.* Burges Maclean, Philby -- and the fourth top British was Anthony Blunt, exposed here. **$12.95**

2139 YOU CAN MAKE THE DIFFERENCE -- *Lee wards.* New edition of the conservative action har book. **$14.95**

2244 THE HILL OF SUMMER -- *Allen Drury.* " this sizzling novel of crisis with the Communi prove as prophetic as his others? **$14.95**

2184 PANICS & CRASHES: How You Can Ma Money from Them -- *Harry D. Schultz.* Revised updated. **$12.95**

2195 THE TAX-EXEMPT FOUNDATIONS -- *W McIlhany II.* Rockefeller, Ford, Carnegie, etc., the mischief they do. Lavishly documented. **$20**

0397 THE GULAG ARCHIPELAGO 3 -- *Solzhe syn.* "Among the few gigantic literary achievem of this age." -- *Book World.* "Enthrallin --*Time.* **$16.95**

2266 FOR THE RECORD: Selected Statemer 1977-1980 -- *Henry Kissinger.* He sounds touq out of office. **$12.95**

2112 THE INVISIBLE VICTIM -- *R. Reiff.* The gets better treatment than the person he bloodi **$11.95**

2133 THE COMING CREDIT COLLAPSE -- *A. P* New edition of the book that tells you how to pro yourself if the house of cards comes tumbling do **$12.95**

2138 THE CONSERVATIVE DECADE -- *Roberts; foreword by Ronald Reagan.* The pe who made the Reagan Revolution. **$14.95**

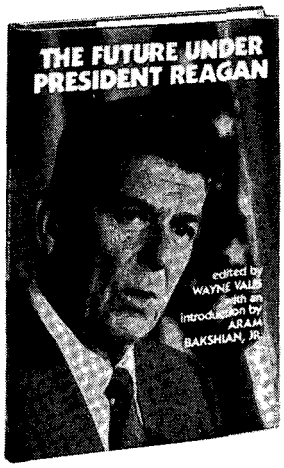
2185 THE AMERICAN ESTABLISHMENT -- *L. & M. Silk.* Revealing data on CFR, Ford Founda *NY Times,* Brookings, Harvard, other powerhou —even though the writers are Establishn themselves. **$13.95**

44 cents!

Values to $112.90!

The first team is back at CBC. We want to welcome you back too. Hence this offer — the most generous in Club history. Which 4 books do you want for 44 cents? That's right — 11 cents each!

EXTRA FREE BOOK!



If you join under this "best ever" Club offer, we'll include a FREE copy of the $12.95 book, *The Future Under President Reagan.* Congressman Jack Kemp, General Daniel Graham, Aram Bakshian, Jr., Wayne Valis and ten more experts project what we can expect through 1984 (or 1988), at home and abroad.

2294 MORNINGS ON HORSEBACK -- *David McCullough.* "A bully biography" of Teddy Roosevelt. -- *Chicago Tribune.* Photos. **$19.95**

2150 FISHBEIN'S ILLUSTRATED MEDICAL & HEALTH ENCYCLOPEDIA. 992 big pages. Illustrated. A-to-Z format for fast lookup. **$19.95**

!004 THE PENNY CAPITALIST: How to Build a ›mall Fortune from Next to Nothing -- *A. Horatio.* Scores of ways plain people can enjoy small windfalls. **$10**

0417 JIMMY CARTER: THE MAN & THE MYTH --*Victor Lasky.* The Lasky treatment. **$12.50**

!476 CONCEIVED IN LIBERTY: Vol. 3 -- Advance :o Revolution, 1760-1775 -- *Murray N. Rothbard.* ;12.95

?008 A PUBLIC PHILOSOPHY READER. Selections ıy Nisbet, Kristol, Murray, Kendall, Lippmann, Novak, Voegelin, etc. **$9.95**

:145 GO QUIETLY...OR ELSE -- *Spiro Agnew.* His side. **$10.95**

?217 PALACE POLITICS -- *Robert T. Hartmann.* From the inside, with Gerald Ford's ex-aide. **$15.95**

0364 DOUBLE YOUR MONEY EVERY 3 YEARS --*Gerald Appel.* Famed consultant leads you thru the financial supermarket. Oversized. **$25**

2002 HARVARD HATES AMERICA -- *John LeBoutillier.* Young conservative Congressman recalls his alma mater's assaults on patriotism. **$7.95**

2014 THE COMING REAL ESTATE CRASH -- *J.W. English & G.E. Cardiff.* Required reading if you're an owner. **$12.95**

2303 THE COMING REVOLUTION IN SOCIAL SECURITY -- *A.H. Robertson.* Lays bare the mess, proposes a solution. **$19.75**

0486 AUTHORITY AND ITS ENEMIES -- *Thomas Molnar.* Eminent thinker examines the abuses of freedom. **$7.95**

0566 STRATEGY OF SURVIVAL -- *Brian Crozier.* How the West may still snatch victory from the jaws of defeat. **$10.95**

2038 AN AMERICAN RENAISSANCE: A Strategy for the 1980s -- *Rep. Jack Kemp.* **$8.95**

2194 SILVER BULLS: The Great Silver Boom and Bust -- *P. Sarnoff.* Included: a look ahead. **$12.95**

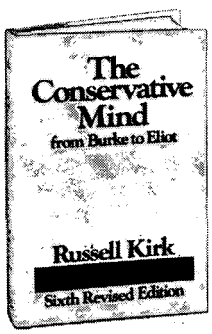
2220 PAVED WITH GOOD INTENTIONS -- *Barry Rubin.* History of U.S.-Iran relations by a hostage. **$17.50**

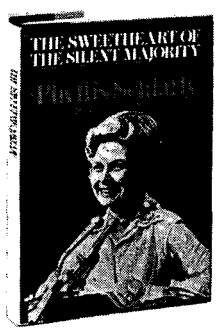
2088 HOW YOU CAN PROFIT FROM GOLD -- *James E. Sinclair & Harry D. Schultz.* Updated edition. **$14.95**

2258 ALLENDE: Death of a Marxist Dream -- *J. Whelan.* Finally, the whole truth. **$14.95**

2296 THE NEW ELITE -- *D. Lebedoff.* They're out to destroy Reagan. **$11.95**

2213 A TIME FOR ACTION -- *Wm. E. Simon.* Tough sequel to the bestselling *Time for Truth.* **$10.**





How the Club Works

Every 4 weeks (13 times a year) you get a free copy of the Club Bulletin, which offers you the Featured Selection plus a good choice of Alternates—all of interest to conservatives. ★ If you want the Featured Selection, do nothing. It will come automatically. ★ If you don't want the Featured Selection, or you do want an Alternate, indicate your wishes on the handy card enclosed with your Bulletin and return it by the deadline date. ★ The majority of Club books will be offered at 20-50% discounts, plus a charge for shipping and handling. ★ As soon as you buy and pay for 4 books at regular Club prices, your membership may be ended at any time, either by you or by the Club. ★ If you ever receive a Featured Selection without having had 10 days to decide if you want it, you may return it at Club expense for full credit. ★ Good service. No computer! ★ The Club will offer regular Superbargains, mostly at 70-90% discounts plus shipping and handling. Superbargains do NOT count toward fulfilling your Club obligation, but do enable you to buy fine books at giveaway prices. ★ Only one membership per household.

CONSERVATIVE BOOK CLUB

15 Oakland Avenue • Harrison, NY 10528

Please accept my membership in the Club and send me my FREE copy of *The Future Under President Reagan* plus the 4 books whose numbers I've written in below:

Bill me 44¢ plus shipping and handling. I agree to buy 4 additional books at regular Club prices over the next 2 years. I also agree to the Club rules as spelled out in this coupon.

R–1

Name _____

Address _____

City _____ State _____ Zip _____

EDITORIAL

Robert Poole, Jr.

Nuclear Freeze?

No sane person wants nuclear war. One does not have to read Jonathan Schell's emotion-charged *The Fate of the Earth* to understand the horror of such a war. It is therefore not surprising that the idea of a mutual, verifiable freeze on nuclear weapons is attracting such widespread support.

Yet a proposal such as the nuclear freeze cannot be judged on the basis of the good intentions of its proponents. To properly assess the merits of the nuclear freeze idea, we must ask whether it can actually be achieved and what it would accomplish if it could.

First, however, let's clear away a spurious objection. Some conservatives are making a big deal out of the fact that some of the leaders of the freeze movement are long-time leftists, disarmers, or even communists. To which a rational person can only reply, *So what?* Many thoughtful, knowledgeable people also support the idea (including my colleague, senior editor Manny Klausner). The merits of a proposal have nothing to do with who happens to be in favor of it.

Let's suppose, for the sake of argument, that a truly mutual, truly verifiable nuclear freeze could be put into effect. What would that mean? Neither the United States nor the Soviet Union could produce, test, or deploy *any* additional nuclear weapons. For this country, that would mean no MX missiles, no more Trident subs, no Trident II missiles, no B-1 or Stealth bomber, no cruise missiles, and no nuclear-armed antiballistic missiles. By our assumption, the Soviets likewise would produce nothing new.

Although this would save many billions of dollars of taxpayers' money, would it reduce the risk or severity of nuclear war? Not necessarily. What it would do (again, assuming that it really worked) is to ratify the drastic change in relative strategic force levels that has occurred over the past decade. Defense analysts argue over whether today's balance has actually shifted in favor of the Soviets—I'm inclined to agree with those who say it has. But no competent defense analyst disputes the fact that by every objective measure—number of warheads, total delivery vehicles, accuracy, total megatonnage—the ratio of Soviet to US capabilities has changed dramatically. While deterrence worked during the several decades in which there was US strategic superiority, it is not clear that it would work as well under the frozen condition of Soviet parity or superiority.

In addition, a successful freeze would prevent the modernization of existing nuclear weapons. The present trend toward replacing large, inaccurate warheads with much smaller, more accurate ones would be halted. Thus, any nuclear war that did break out would involve far more collateral damage—the destruction of civilian people and infrastructure. Still, some might argue that such a freeze would be worth these risks, since it would prevent the introduction of more and "better" weapons.

If it worked, that is. And here we come to the real difficulties. Is there any reason to think that a mutual, verifiable freeze could be achieved? Those who argue that the Soviets would honor a freeze treaty seem to ignore a vast legacy of Soviet treaty violations:

- conducting underground nuclear tests larger than permitted by the 1974 Threshold Test Ban Treaty;
- stationing missile-carrying Golf and Echo-class submarines in Cuba in defiance of the 1962 Kennedy-Khrushchev Agreement;
- numerous violations of the SALT I treaty, including replacement of the SS-11 ICBM with the heavy SS-19, camouflage of submarine missile construction, and encryption of missile test telemetry;
- similar violations of SALT II, including the stockpiling of SS-16 missiles and extensive encryption of missile telemetry signals; and,
- most blatant of all, violation of the 1925 Geneva Protocol on chemical weapons and the 1972 Biological Weapons Convention by use of "yellow rain" in Afghanistan and Laos.

Some freeze advocates hope, incredibly, that a home-grown peace movement would force the Soviet leadership to take the freeze seriously. Yet when a grass-roots peace movement attempted to organize in Moscow this spring, it was ruthlessly suppressed by the KGB. The official Soviet peace movement is totally controlled by the government. Anyone who expects grass-roots activism to be an effective influence on Soviet policy should confer with the leaders of Solidarity.

But even if the Soviets cheated, wouldn't that be verifiable? To be sure, US reconnaissance satellites and signals intelligence can do a great deal. But to detect the secret stockpiling of already-produced SS-16s (in violation of SALT II) or the secret production of 20-foot long cruise missiles without full-time, on-site access to the entire Soviet Union is highly unlikely. Far more likely is that we would let our hopes get the better of us, adhering to our part of the bargain—easily enforced by our own free press—while the Soviets got away with murder.

The real danger of a nuclear freeze is not its unreality, however. The real danger lies in what even a "successful" freeze would *not* do. It would not challenge the dangerous and immoral balance-of-terror approach to strategic defense with which we've lived for 30 years. It would do nothing to shift strategic programs from offense to defense. It would continue to focus on a policy based on *ensuring dead Russians rather than live Americans.*

The freeze, in short, attacks the wrong target. What is urgently, desperately needed is a crash program to put in place a multilayered defense against ballistic missiles, backed up by realistic civil defense measures. For maximum technological flexibility, such efforts ought to retain the option of using nuclear warheads—which a freeze would preclude—although some promising proposals (for example, the High Frontier approach) would rely entirely on nonnuclear means.

Preventing nuclear war is a crucially important goal. But wouldn't it make far more sense to place our trust in advanced technology rather than the promises of Leonid Brezhnev as a means of accomplishing this goal?

Robert Poole, Jr.

THE DECISION TO HAVE A BABY COULD SOON BE BETWEEN YOU, YOUR HUSBAND AND YOUR SENATOR.

For everyone who until now thought something like this could never happen. It has begun.

On March 10, 1982, the United States Senate Judiciary Committee took an unprecedented first step toward depriving you of your most fundamental personal rights:

The right to have the number of children you want. When you want them. Or to have none at all.

They have approved the "Hatch Amendment" to the Constitution which will now go to the Senate floor. If this amendment becomes law, it will rob you of your Constitutional right to choose an abortion. And at the same time will allow the states and Congress to outlaw all abortions.

Even if your pregnancy is the result of rape. Or incest.

It is even possible that if you have an abortion, you could be prosecuted for murder.

Amazing as it sounds, this nightmare is becoming a reality.

Backing this amendment are right-wing U.S. Senators who want to impose their religious beliefs on you. Your friends. Your family. Everyone.

Don't stand by silently. Fill out the Planned Parenthood coupon. Give generously of your time and money. Now more than ever, we must fight to keep the government from governing your private life.

The fate of safe and legal abortion hangs in the balance.

JOIN PLANNED PARENTHOOD

Planned Parenthood of New York City, Inc.
380 Second Avenue, New York, N.Y. 10010
212/777-2002

- ☐ I believe abortion is something personal, not political. Please send me your Legislative Action kit so I can make my voice heard.
- ☐ Please keep me informed and add me to your mailing list.
- ☐ I want to make a tax-deductible contribution to Planned Parenthood. Here is my check in the amount of $_____.

NAME _____

ADDRESS _____

CITY/STATE/ZIP _____

TELEPHONE (DAY) _____ (EVE) _____

A copy of our financial report can be obtained from us or the New York Department of State, Office of Charities Registration, Albany, New York 12231

This advertisement has been paid for with private contributions

© 1982 Planned Parenthood of New York City, Inc.

NYT 3/14

ABORTION IS SOMETHING PERSONAL. NOT POLITICAL.

Letters

Do the Figures Hold Water?

In William Tucker's generally excellent article on California water resources ("Billions Down the Drain," June), he states that drip irrigation uses only *one* percent of the water used in surface-flow irrigation. This is a 99 percent saving and seems just too good to be true. Therefore this second look. There have been a number of independent experiments with drip irrigation of cotton in Arizona and California during the past two years. And based on acre-inches of water used per bale produced in each case, drip irrigation averaged about 34 percent as much water as traditional surface irrigation.

Carl Gieszl
Los Altos, CA

The editors reply: The source for this figure was "The California Water System: Another Round of Expansion?" by Richard Walker and Michael Storper, published in *Public Affairs Report* (Apr. 1979), a bulletin of the Institute of Governmental Studies at the University of California, Berkeley. On page 6 the authors of this analysis write: "Some 82 percent of California's irrigation is by gravity methods, chiefly open-ditch, which use much more water than other techniques. For example, sprinkler irrigation uses only 18 percent as much water as open-ditch (gravity) and drip irrigation only one percent as much." The California Department of Water Resources Bulletin 198, pp. 42-45, is cited as the source.

Agricultural economist Del Gardner, however, tells us that these figures represent the *volume* of agricultural-use water in California by type of method. That is, one percent of California's agricultural water is used in drip systems. Gardner estimates that drip irrigation can increase the efficiency of water use by 20-30 percent.

Cable Contentions

In his article on cable TV franchising (July), Thomas Hazlett points out that the current premise for regarding cable TV as a "natural" monopoly is that cable-layers must "chip at our streets and staple our poles and apply to local governments for permission to do same." His error is in dismissing that point as "trivial." Property is property, and since local governments own streets and utility poles (and drainage culverts), their power to dictate cable programming content, and the number of cable market participants, rests in their inherent power to regulate access to those streets and poles for cable-laying purposes—or any other purposes. Any *private* lessor of cable-laying rights would have similar power.

The essential difference between the government as lessor of cable rights and a hypothetical private lessor is that the private lessor would be less likely actively to *exercise* that power. Political considerations of "The Community" would be meaningless to him; cable-lease royalties, and the practical considerations involved in cable laying, would be all he would care about.

The solution to this quite *non*-"trivial" problem, then, is to privatize the "public ways," a course of action which already has many other arguments to recommend it. When one has to ask permission to use government property to conduct his business, whatever business that is, he's asking for trouble—as much trouble as that government sees fit to make. *That* is the inherent danger of government ownership of *any means* of production, distribution, or exchange—or any land other than that required for a minimal number of police headquarters, military bases, and courthouses.

Terry A. Hurlbut, III
Houston, TX

Falkland Facts

In "Free the Falklands" (Editorial, July), Manuel Klausner omits a portion of Falkland history that further strengthens the British claim. As recounted in *The Encyclopedia Britannica* (1964), "The Falklands were discovered by the English navigator John Davis (Davys) in the 'Desire' in 1592 and two years later Sir Richard Hawkins sailed along their northern shore....In 1766 the French settlement was withdrawn under pressure from Spain, which later (1770) ejected the British party—an action that brought the two countries to the brink of war. Port Egmont was restored to Britain in 1771 but was voluntarily abandoned three years later. In 1829 the Republic of Buenos Aires, which claimed to have inherited the rights of Spain, sent Louis Vernet to develop a colony in its name; he made some progress but in 1831 was rash enough to seize three U.S. sealing vessels and this brought down a U.S. corvette, the 'Lexington', which 'laid waste the settlement and proclaimed the islands free of all governance.' In 1833 Great Britain, which had never renounced its claims to sovereignty, resumed official occupation."

Thus, it would seem that Argentine claims were not subrogated by the British in 1833, since the United States had declared them a free territory, nullifying all previous claims, and the present British claim would stem from a right by occupation in 1833. The Argentinians seem to have done nothing to reassert their claim from the time of the visit of the *Lexington* to the resettlement by the British in 1833, so it seems that past history is again being rewritten to justify present actions.

Kenneth Robinson
St. Petersburg, FL

Communicate with REASON. Box 40105, Santa Barbara, CA 93103. We appreciate receiving your letters typed double-space and limited to 200 words. Letters sent to REASON will be considered for publication (unless otherwise noted) and may be subject to abridgement or editorial comment.

Perspective on El Salvador

I hold Murray Rothbard in the highest regard for his academic contributions to free-enterprise economics, but reading his column "Yankee Stay Home" (Viewpoint, June), it is obvious to those such as I, who have lived and worked in Latin America, and in particular El Salvador, that Mr. Rothbard does not possess firsthand experience to justify his position. Consider the following:

1. He states that "it is massive repression over many years that has finally solidified the great bulk of Salvadorans behind the guerrillas." This is ridiculous on two counts. From personal experience living in El Salvador, I can attest that the guerrillas are hated by all but a small percentage of Salvadorans (4-5 percent). While the people are extremely susceptible to benefit-corruption by the false promises of socialism, the terrorist

acts of the guerrillas have alienated everyone by their indiscriminate destruction of the economic means of both poor and rich.

Additionally, the so-called right-wing dictators are not of the right but uniformly of the left, always buying popularity from the people with socialist benefits paid for by taxation and inflation. The only repression the *general* populace sees is the increase of socialistic regulations and controls. The only direct repression is felt by a small percentage of people, almost exclusively of a type further to the left than the socialist dictator. Interestingly enough, the typical strong-man military leader allows more individual freedom to the people than the typical Marxist. The dictator is only watching out for small power groups who would knife him in the back, while the Marxist dictator has an ideological motive to restrict freedom as a threat to his brand of elitist control.

2. Mr. Rothbard makes several slurring references to the "farce" of trying to show that Latin American troubles are caused only by a handful of "agitators." He further states that whatever aid has come from Nicaragua has been "minuscule" compared with the massive flow of arms, materiel, and advisors from the US government. There is no debate among the populace in Central America as to the source of the explosives, weapons, and manpower of the communist guerrillas. Anyone trying to establish credibility with the civil war argument would be laughed out of El Salvador or correctly labeled as pro-revolutionary left. Further, trying to compare the efficient supply chain of the Cuban and Nicaraguan communists to the bluntly ignorant aid techniques of the United States' limited war strategy is like comparing fighter aircraft to blimps. The size being greater on one side (though it is clearly not if you count the military buildup inside Nicaragua itself) does not help to determine who is the initial aggressor, by any means.

3. Rothbard claims that the "peasantry is suffering under a 'feudal' land system," that their ancestors had their land "stolen from them by the government and handed to the ancestors of the present landlords." This is sheer nonsense without any more historical basis for action than the US experience of pioneering the lands of roving bands of American Indians. While it is true that some initial injustice did occur to original natives in both countries, the historical precedent is so far back that few would advocate a US land confiscation based upon the original Indian claims. The injustices would be greater, since none of the original people are involved. Furthermore, the previous large landowners in El Salvador poured millions into the development of their lands, just as American entrepreneurs have done. It is not now the asset of the Central American peasant any more than the Florida Seminole Indians own all of the Florida citrus crops.

The so-called agrarian reform in El Salvador was nothing short of a destructive confiscation of free property and the consequential enslavement of the previous farm workers as underpaid employees of state-owned and -operated farms. The major casualty of the agrarian and banking confiscations was the Salvadoran economy, whose investment capital immediately disappeared through the dual effects of fear of further confiscation and government theft of banking dollar reserves.

In conclusion, I assert that Mr. Rothbard's final arguments attempting to deny any relationship between Moscow's leadership and the Latin American Marxists are not only lacking in evidence but irrelevant to justifying our concern or lack of concern for the affairs of Central America. As long as all Marxists continue to exhibit a hostility toward the free exercise of economic and personal liberty, they are all enemies of liberty-minded individuals—no matter who gives the orders.

Joel M. Skousen
(location withheld)

Secretarial Satisfaction

I was astounded that Peter Schwartz, "Women's Worth" (July), seemed to consider himself such an authority on the women's movement. An advocate, he definitely isn't! In fact, he sounds like he is left over from Women's Suffrage days.

Mr. Schwartz appeared to be saying that the position of secretary is not a successful one and therefore demeaning! Any position that is done well, with pride and satisfaction, is successful. Doesn't he realize that it is all in the title, anyhow? A man in the same position would be an "office assistant" of sorts, not a secretary. Men were once secretaries, exclusively. Why do you suppose they gave it up? And of course, if a man in one office was an assistant as com-

(Continued on p. 56)

Powerful new booklet

by VERNON HOWARD

Angry?

"Your anger is killing you—take this cure."
—Dr. Bruce Tracy

•ENJOY HEALTH!
•INVITE LOVE!
•SOLVE PROBLEMS!
•PROVEN RESULTS!

Send only $2 today:
NEW LIFE, BOX 275-AR
BOULDER CITY, NEVADA 89005
(702) 293-4444

"Color
Pastel Portraits from your Photos" for Only $31.99
with Frame

Size 11"x14". Mat Included. Satisfaction guaranteed or money back. All postage paid. 4 to 6 weeks delivery. Free Catalog Included. N.Y. residents add sales tax. Mail your clear, detailed photo with check to:

A.J.B. Jr. Studio
32-26 102nd Street, Flushing, New York 11369

A private seminar

THE SWISS BANK
and the Swiss Survival Investments

Safety and *Privacy*. These two words tell why the world's most knowledgeable investors traditionally turn to Switzerland. How do they use Swiss banks to protect their wealth from inflation and taxation, controls and confiscation? Which survival investments do Swiss banks recommend to private clients?

These are only a few of the topics treated at an intensive, private seminar to be held over two days in four locations:

- **Nassau, Bahamas, October 30–31**
- **Montreal, Quebec, November 3–4**
- **Vancouver, B.C., November 7–8**
- **Mazatlan, Mexico, November 11–12**

You will hear three international experts: **Siegfried Herzog**, Manager of Zurich's prestigious Ueberseebank; **Jurg Lattmann**, president of three Swiss financial institutions; and **Paul Leverkuehn**, of Dunn & Hargitt Research, Brussels, one of Europe's legendary commodity and currency traders. Over 1,000 American investors have heard these experts at our seven seminars held since 1978 in Zurich.

Seminar fee of $250 is tax deductible to U.S. taxpayers and includes private consultation with speakers. Registration will be closed at 60 attendees.

Free brochure from Kephart Seminars International, telephone *Toll Free*, 800-368-3147, Ext. 4037 (from Canada or Virginia, 703-237-9390), or write to 6201 Leesburg Pike, #403, Dept. 4037, Falls Church, VA 22044. **SA1044**

brickbats

Where else but in Fun City would a judge rule that New York zoning laws can be used to ban video-game parlors—but not peep shows or live sex acts? Porn is a constitutionally protected form of freedom of expression, but dot-eating electronic monsters are merely commerce, according to a New York Supreme Court judge. The solution for video game operators is simple: find a girlfriend for lonely Pac-Man. If he and Pac-Woman (or Mrs. Pac-Man for the Puritans among us) do naughty things on the tube, then it's legal under the First Amendment.

More than 2,600 New York City school teachers came down with the seven-year itch—paid sabbaticals—and it's costing taxpayers $26 million this year alone. At least one-fifth of the teachers will never return to the blackboard jungle, and that means each will have received a $20,000 preretirement award. Sabbaticals were intended to let educators study and travel to recharge their batteries and become better instructors. But "study" often means trips to China, the Bahamas, and Hawaii. New York is the only city in America to grant sabbaticals to secretaries. One recently went to Jamaica to study how other schools handle record-keeping. She could have studied it in Jersey City, but then Jamaica has a beach and Jersey City doesn't. School employees receive 70 percent of their salaries and 100 percent of their fringe benefits while on leave. The teachers' union vows to fight to the death to keep sabbaticals in the contract. Why kill the golden goose?

For 10 days, the beach at Tropea, Italy, was a sight to behold. But what constitutes beauty in the eye of the beholder had a lot to do with making the scenic view a little less panoramic. To avoid discouraging tourists who like to take nude strolls on the beach, the city council passed a law allowing full exposure only by "young women capable of exalting the beauty of the female body." Some do-gooders squawked about the law violating Italy's antidiscrimination statutes. City officials blushed and decided to reserve a small strip of beach for naturalists of all ages, shapes, and sizes. The tourists will simply have to grin and bare it, exalted or not.

Congress routinely passes laws cramming closed shops ("If you want to work here, join the union") down the throats of workers and employers who don't want them. The average Joe needs to be protected from mercenary capitalism or so the logic goes. But lo and behold, look what group is fighting hard against such coercion and has been successful in keeping the union out: the US Senate refuses to recognize a union representing 200 workers who sling hash in the Senate's cafeterias. As employees of the Senate, the restaurant workers don't enjoy the "protection" of labor laws that cover identical jobs everywhere else in the United States except on Capitol Hill. The fledgling union has appealed to the US Commission on Security and Cooperation in Europe, which monitors compliance with the Helsinki accords on individual freedom. Good luck—12 of the 15 commission members are also members of Congress. The Senate may decide what's good for General Motors, but when it comes to its own hallowed hall, the attitude is slightly different.

Hand-wringing environmentalists and Watt-haters are simply aghast at the Interior Department's plan to unload a minuscule portion of the land owned by the government. Watt wants to sell a tiny chunk of the 700 million acres (roughly one-third of all the land in the country) of federally owned land to help reduce the trillion-dollar national debt. The Sierra Club would have us believe that Watt is going to auction off Old Faithful and the Statue of Liberty. Not so.

But one piece of property destined to go on the block is the Mint Assay Office in lower Manhattan. The office processes and refines gold and silver bullion and reclaims the metal content of coins withdrawn from circulation. But why does such an office need to be located on prime commercial property in Manhattan when private groups would gladly pay $10 million or so for it? So much for the "rape of the wilderness" charge that some nature-lovers keep throwing at the land-sales idea.

"Slanderers in the bourgeois press" are making such a stink about the planeloads of Vietnamese being transported to Soviet factories to work off Hanoi's debt to Moscow. Government newspaper *Izvestia* dares anyone to challenge the altruistic motives of Mother Russia. Some counterrevolutionaries reported the Vietnamese were forced to work in northern Siberia. Not true, says *Izvestia.* The Vietnamese had "all rights and freedoms provided by Soviet law." Like the right never to question authority, the right to have a party thug tell you when and where to eat, sleep, and work, and the right not to practice the religion of one's choice. Take that, Western imperialistic dogs!

—MARK EDWARD CRANE

LAISSEZ FAIRE BOOKS INC

Best Sellers

POLITICAL THEORY

Clark, A NEW BEGINNING, $5.95
Hayek, THE CONSTITUTION OF LIBERTY, $10.95/$35
Machan (ed), THE LIBERTARIAN READER, $12.95/$27.50
Mencken, A MENCKEN CRESTOMATHY, $7.95/$17.95
Mises, LIBERALISM, $4.95/$15
Morley (ed), ESSAYS ON INDIVIDUALITY, $3.50/$8
Nozick, ANARCHY, STATE & UTOPIA, $8.95
Oppenheimer, THE STATE, $3.95/$31.50
Rothbard, THE ETHICS OF LIBERTY, $15.95
Rothbard, FOR A NEW LIBERTY, $6.95
Rustow, FREEDOM AND DOMINATION, $35.00
Spencer, THE MAN VS THE STATE, $6/$13
Spencer, SOCIAL STATICS, $6.00

ECONOMICS

Friedman, FREE TO CHOOSE, $2.95/$9.95
Friedman, CAPITALISM & FREEDOM, $4.95
Friedman, MONETARY HISTORY OF THE U.S., $11.95
Hayek, THE ROAD TO SERFDOM, $4.95
Hazlitt, ECONOMICS IN ONE LESSON, $4.95
Mises, HUMAN ACTION, $37.50
Mises, SOCIALISM, $5/$11
Rothbard, AMERICA'S GREAT DEPRESSION, $15
Rothbard, MAN, ECONOMY AND STATE, $10/$30
Rothbard, POWER AND MARKET, $4.95/$15
Sowell, MARKETS & MINORITIES, $6.95/$13.50
Sowell, KNOWLEDGE & DECISIONS, $9.95/$21
White, FIAT MONEY INFLATION IN FRANCE, $4

HISTORY

Bailyn, IDEO. ORIGINS OF THE AMER. REVOL., $4.95
Ekirch, DECLINE OF AMER. LIBERALISM, $7.95
Flynn, AS WE GO MARCHING, $3.45
Kolko, TRIUMPH OF CONSERVATISM, $11.95
Radosh, PROPHETS ON THE RIGHT, $5.95
Storing, WHAT THE ANTI-FEDERALISTS WERE FOR, $4.95
Toland, INFAMY: PEARL HARBOR & ITS AFTERMATH, $17.95

PHILOSOPHY

Nozick, PHILOSOPHICAL EXPLANATIONS, $25
Paul (ed), READING NOZICK, $12.95
Smith, ATHEISM: THE CASE AGAINST GOD, $7.95

PSYCHOLOGY

Branden, THE ROMANTIC LOVE Q & A BOOK, $11.95
Branden, PSYCH. OF ROMANTIC LOVE, $2.95/$10
Branden, PSYCHOLOGY OF SELF-ESTEEM, $3.50
Breggin, THE PSYCHOLOGY OF FREEDOM, $10.95
Browne, HOW I FOUND FREEDOM IN AN UNFREE WORLD, $2.75
Szasz, SEX BY PRESCRIPTION, $3.95/$10.95

OTHER

Ferguson, THE AQUARIAN CONSPIRACY, $7.95/$15
Fortkamp, CASE AGAINST GOVT. SCHOOLS, $4.95
Poole, CUTTING BACK CITY HALL, $6.95/$12.50
Rand, ATLAS SHRUGGED, $4.95/$18.95
Rand, CAPITALISM, THE UNKNOWN IDEAL, $2.95
Schiff, HOW ANYONE CAN STOP PAYING INCOME TAXES, $10.95

paperback price/hardcover price

Recent Additions

THE LIBERTARIAN READER, Tibor Machan, 287 pages, $12.95/$27.50. Machan's fine new book includes essays by Friedman, Hayek, Rothbard, Szasz, Nozick, Von Mises, Hospers, Flew and others.

SUPPLY-SIDE ECONOMICS: A Critical Appraisal, (ed) Richard H. Fink, $12.00/$27.50. Over twenty leading economists have contributed to this first comprehensive assessment of supply-side economics by advocates and opponents of the doctrine.

ESSAYS IN SUPPLY-SIDE ECONOMICS, (ed) David G. Raboy, 173 pages, paper $5.95. Norman Ture, Richard Wagner and 4 other economists present the theoretical, empirical and ideological foundations for supply-side policies.

PRIVATIZING THE PUBLIC SECTOR: How to Shrink Government, by E. S. Savas, 164 pages, cloth $15.00. The controversial HUD Asst. Secy. examines 8 alternatives to government-provided services that can usually be done better by the private sector. Foreword by Martin Anderson.

THE SCEPTICAL FEMINIST: A Philosophical Enquiry, by Janet Radcliffe Richards, 306 pages, cloth $21.50. Develops a simple and powerful case for radical change in our rules and attitudes toward women. Should persuade defenders of liberty to rally to the cause of feminism.

THE OMINOUS PARALLELS: The End of Freedom in America, by Leonard Peikoff, 384 pages, cloth $16.95. What is required to turn a country into a total dictatorship? How did the Nazis accomplish it? Is it happening here? Introduction by Ayn Rand.

LIFE EXTENSION: A Practical Scientific Approach, by Durk Pearson and Sandy Shaw, 805 pages, cloth $19.95. Adding years to your life and life to your years.

TOMORROW, CAPITALISM, by Henri LePage, 256 pages, cloth $14.95. Explains in layman's language how, if we are to solve the problems of poverty, unemployment, pollution and crime, we must work toward a society where economic and social policies are decided in a free market.

ORDER FORM

ITEM	PRICE
SUBTOTAL	
N.Y. State residents add sales tax	
Shipping & Handling	$2.00
TOTAL:	

METHOD OF PAYMENT

☐ Check or Money Order ☐ MasterCard ☐ Visa

CARD NUMBER _____ EXPIRATION DATE _____

SIGNATURE _____

NAME _____

STREET _____

CITY/STATE _____ ZIP _____

PLEASE SEND YOUR ORDER TO:
LAISSEZ FAIRE BOOKS INC
206 Mercer Street
NY, NY 10012

R9

©Laissez Faire Books, Inc. 1982

TRENDS

TIME FOR TOLLS

You've seen the grim statistics. Our roads and bridges are steadily deteriorating. According to the Federal Highway Administration (FHWA), it will take $230 billion to repair them all over the next 13 years—far more than existing revenue sources will provide. Yet politicians continue to resist raising gasoline taxes enough to pay for the needed maintenance and repair; most recently, President Reagan turned down Transportation Secretary Drew Lewis's proposed 5-cent-a-gallon gasoline tax increase.

Increasingly, however, knowledgeable officials are admitting that there *are* highways that are maintained in fine shape—toll roads. A seven-nation study conducted in 1977 for the International Bridge, Tunnel, and Turnpike Association found that Europe had twice the mileage of toll roads (8,868 versus 4,416) as the United States. France, Italy, and Spain dominate the toll-road scene, with 5,296 miles of toll roads built *and operated* by private firms (for example, Italy's Autostrade).

Richard B. Robertson of the Federal Highway Administration has become an advocate of tolls. A 1978 study by the National Transportation Policy Study Commission concluded that "by and large toll roads are better maintained than other roads." And a 1980 FHWA study found that most US toll roads have achieved self-sufficiency, in contrast to most other roads. Robertson would like to see states charging tolls on interstate highways—but there's just one problem. Current federal law specifies that if a state imposes a toll, it must repay the federal government all the federal money used to build the road. Robertson urges that Congress repeal that portion of the Federal Highway Act (Sec. 129, Title 23 U.S.C.).

Transportation economist Fred Smith of the Council for a Competitive Economy points out another benefit of tolls: trucks would finally pay their own way. Study after study—the most recent being the Transportation Department's "Final Report on the Federal Highway Cost Allocation Study"—demonstrate that heavy trucks impose far more wear and tear on roads than their share of gas-tax and excise-tax contributions. But the tolls imposed by such roads as the Pennsylvania and Ohio Turnpikes turn out to be almost perfect analogs of the "weight-distance taxes" that economists advocate to make trucks pay their way. Only a handful of states—for example, Oregon and Arizona—have structured their user taxes in accord with weight-distance formulas, and only after fierce political battles. But the turnpikes and tollways have been doing so all along.

IS THERE A DOCTOR IN THE TOWN?

The laws of supply and demand apply to broccoli, gold bullion, laundromats, heroin—and doctors. The last few years have seen a wide array of government-sponsored plans to bring medical service to small towns and rural areas previously without doctors. But if an *American Medical Association Journal* article, "Where Have All the Doctors Gone?" (May 1982), is any indication, none of these schemes have worked nearly as well as the fact that more people have decided to become doctors and the supply of medical service has gone up faster than the demand.

The article, based on a study by a team of researchers from the Rand Corporation and Tufts University School of Medicine, points out that people in nearly every community in the United States with a population of 2,500 or more now have ready geographic access to a physician. Furthermore, a wider range of medical services will become increasingly available in this decade to people outside metropolitan areas as the supply of physicians continues to grow. While most doctors ordinarily prefer working in metropolitan areas, there is evidence that their choices of where to practice are "heavily influenced by competitive forces."

As the number of physicians in almost every medical and surgical specialty has increased, many have moved into smaller, previously unserved communities. Only a small percentage of towns with a population over 20,000 are now without the services of an internist, obstetrician/gynecologist, pediatrician, and radiologist. Also, although the number of practitioners who list general or family practice as their *primary* pursuit declined between 1970 and 1979, a large number of specialists responded to market demand in those areas and entered them on a *part-time* basis, so the FTE (full-time equivalent) number of family and general practitioners actually *rose* by 3 percent. Again, small towns and rural areas benefited.

To account for their findings on where physicians are now practicing, the study's authors developed a "location theory" that would have made Adam Smith proud. "Suppose that three towns with populations of 6,000, 2,000, and 1,000 are equidistant from one another," they wrote. "If there are four physicians of a given specialty available, three will be located in the town of 6,000 and one will be located in the town of 2,000. No specialist will locate in the town of 1,000 because there are 2,000 persons per specialist in the other towns. . . .

"Now, suppose," they continue, "the number of specialists expands from four to nine. Market areas shrink to 1,000 persons per specialist, and in equilibrium there will be six specialists in the town of 6,000, two in the town of 2,000, and one in the previously unserved town of 1,000."

While they readily acknowledge that this is a simplified model that disregards, for example, unequal consumer demand and differences in the attractiveness of towns to doctors, it does illustrate why an important problem in the delivery of medical care is approaching a solution.

And although the Rand/Tufts researchers don't say so, REASON would predict that, barring intervention in the marketplace for medical services, the increased supply of doctors will also eventually result in irresistable pressure for reduced medical prices. Trust Adam.

CHANGING CHANNELS

June turned out to be video proliferation month, as three major developments heralded the continued evolution of this exploding industry. The Federal Communications Commission *unanimously* gave the go-ahead to two new services: direct broadcast satellites (DBS) and subscription TV. And a New York entrepreneur made a major end-run around cable franchising regulations.

The FCC's first decision was to deregulate subscription TV. Up till now, this over-the-air pay-TV service, using a scrambled signal and decoder box, has been limited to cities with four or more conventional "free" (that is, advertiser-supported) TV stations. As of May, there

were 27 pay services reaching about 1.3 million subscribers and another 16 licensed but not yet broadcasting. The new decision removes all limitations, meaning that any number of pay-TV stations can enter any market.

Actually, some observers now speculate that the subscription-TV decision, together with other recent FCC decisions legalizing low-power TV stations and multipoint distribution systems (MDS), may undercut the market for the just-authorized direct broadcast satellites. Nine applicants are seeking FCC permission to launch such satellites, each of which would supply three or four channels direct to low-cost (say $200) rooftop dish antennas by 1986. With so many other alternatives available by 1986, some observers now wonder whether the DBS operators will have a market left.

Another of these alternatives was announced in June by New York-based Orth-O-Vision, Inc. The company plans to begin installing satellite dish antennas at large apartment complexes in Queens this fall, bringing in multichannel satellite programming 24 hours a day in direct competition with the yet-to-be-installed cable TV service. New York City officials have taken more than 10 years trying to decide what sort of requirements to force a cable operator to meet for the privilege of receiving exclusive franchises in the city's outlying boroughs. Orth-O-Vision is making a clever end-run around the bureaucracy, bringing video alternatives directly to the consumers.

WATER WISDOM

As noted here in Trends last month, California voters decisively defeated the Peripheral Canal proposal on the June ballot (see "Billions Down the Drain" by William Tucker, June 1982). This was the first major California water project in history to suffer such a fate. And it was economic arguments that sank the canal.

In the wake of its defeat, one of the leading opponents of the project has issued a call for a new approach to water development: the free market. Thomas J. Graff is general counsel of the Environmental Defense Fund. In a June 13 op-ed piece in the *Los Angeles Times*, Graff set forth three principles that should guide future water projects:

1. Legal and institutional barriers to the voluntary sale and purchase of water rights ought to be eliminated.
2. Investment decisions should be ones that minimize total costs.
3. Subsidies to water projects must be ended, so that users pay prices reflecting the water's true costs. Specifically, the $30-million-a-year subsidy from state oil tax revenues, federal Bureau of Reclamation subsidies, and local property tax subsidies should be ended.

None of these points will be news to readers of William Tucker's REASON article. What is new is that the commitment of a leading environmentalist to these free-market principles seems to be genuine, having endured beyond election day. Indeed, Graff even quotes David Stockman approvingly on the need to "attack powerful clients with weak claims" to government money. And he goes on to call for California policymakers to "pursue a new politics of efficiency rather than return to the old politics of the pork barrel."

REVOLT OF THE REVOLUTIONARIES

The ugly truth about the Nicaraguan "revolution" is becoming plain enough for everyone to see. What began as a genuine popular movement to overthrow a dictator, with support from both peasants and the business community, has turned into a Marxist-Leninist state, beholden to Cuba and the Soviets.

Whose judgment is that? Not just that of thoughtful Americans but also of a growing number of ex-Sandinistas. In April the most famed of them all, former guerrilla leader Eden Pastora (popularly known as Commander Zero), turned up in Costa Rica after a 10-month disappearance to denounce the Sandinista junta. Pastora, who had served as the Sandinistas' first deputy defense minister and organizer of the popular militia, denounced his former comrades for censoring the media, confiscating private property, and destroying the economy. More important, he announced that he would lead a political and military effort to topple the junta and would not rest until Nicaragua is free of foreign troops.

Nor is Pastora alone. Former revolutionary field commander Fernando Chamorro has also fled Nicaragua and organized what many consider the most important anti-Sandinista exile group. And in May former junta member and opposition party member Alfonso Robelo, a respected businessman, fled

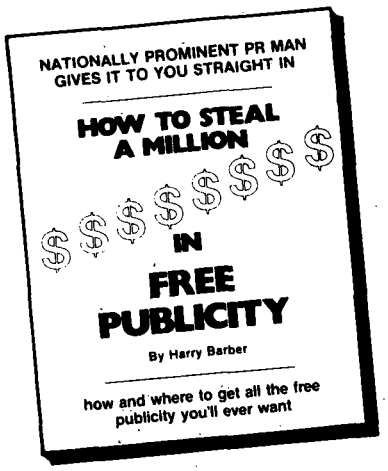
WHO OWNS THE AIRWAVES?

"A provocative study of an important public policy issue."
– Bob Packwood
Chairman, Senate Commerce Committee

Cable, AM stereo, low-power TV, AT&T, IBM . . . telecommunications is in turmoil. In contrast to the short-term patchwork solutions of regulators and legislators, policy analyst Milton Mueller offers a comprehensive approach to the reform of telecommunications regulation. Deregulation, the First Amendment, and the advent of new technologies all point in the direction of denationalizing the airwaves and creating private, freely transferable rights in the frequency spectrum. This study explains how it would work.

Property Rights in Radio Communications
by Milton Mueller
54-page report, $2.00 each
Ten or more copies, $.75 each

CATO INSTITUTE
Department R
224 Second St., S.E.
Washington, D.C. 20003


NATIONALLY PROMINENT PR MAN GIVES IT TO YOU STRAIGHT IN
HOW TO STEAL A MILLION
IN
FREE PUBLICITY
By Harry Barber
how and where to get all the free publicity you'll ever want

This remarkable book shows you...

- **How to professionally prepare news releases and articles so they will be accepted by the media.**
- **How to develop your mailing lists.**
- **How to work with the news media.**
- **How to measure the effectiveness of your publicity**
- **Dozens of ways to secure additional publicity at nominal cost.**
- **Over 600 outlets for free publicity and reference to thousands of additional sources.**

In this comprehensive publicity guide, Harry Barber eliminates the mystique of "free publicity"—shows you in detailed, step-by-step procedures, how and where to get it—all the free publicity you'll ever want for yourself or your organization.

How To Steal A Million $ In Free Publicity is the ideal reference guide for business owners, corporate executives, political groups, non-profit organizations, and individuals in all walks of life.

About the author—
Nationally prominent advertising and public relations executive, Harry Barber, gives it to you straight in his latest book.

The author has developed hundreds of publicity campaigns in conjunction with screen and television personalities, US Astronauts, USAC Racing, major corporations, and private individuals.

Only $14.95 postpaid
SATISFACTION GUARANTEED!

Success Sellers
Publishers & Booksellers
P.O. Box 16801
Irvine, CA 92713

Please rush me a copy of Harry Barber's book, *HOW TO STEAL A MILLION $ IN FREE PUBLICITY*. I enclose $14.95.

Name _____

Address _____

City _____

State _____ Zip _____

R3

Nicaragua as well. On June 17 he held a press conference in Panama City, where he announced that he was forming a political and military alliance with Pastora to overthrow the Sandinistas.

None of these courageous men had supported the dictator Somoza. All believed in the revolution. And all have seen it betrayed by the communists they tried to work with. What remains to be seen is whether they can now succeed in rescuing Nicaragua from those who are destroying it.

CONSERVATION CAUSE

What motivates people to conserve energy? Personal virtue? Tax credits? Stirring presidential rhetoric about energy plans being the "moral equivalent of war"? Two separate research teams, one at Notre Dame University and the other in Ontario, have discovered a quite different and far more effective motivation—economic self-interest. Their findings were reported in that infamous promoter of cutthroat capitalism, *Psychology Today* (May 1982, p. 20).

To determine the incentive effect of energy tax credits, the researchers from Notre Dame's Business Administration College interviewed 146 middle-class homeowners who had installed insulation, storm windows, and other energy-saving goodies that made them eligible for tax credits under the 1978 Energy Tax Act. About 15 percent of those interviewed said they hadn't claimed the tax credit in the two years following the act's passage because they didn't know about it, didn't realize they were eligible, or didn't care. Of the homeowners who did claim the credit, more than half said it was an "unimportant" factor in their decision to install the energy-saving devices, and nearly 40 percent of the buyers said they had learned about the credit only *after* making their purchases. Moreover, all the respondents said they would have made the purchases so as to cut down on their fuel bills, even if the tax credit had not been offered. As *Psychology Today* says, "the credit is [evidently] an unnecessary windfall for taxpayers with knowledge to take advantage of it."

A study in Guelph, Ontario, has come up with comparable results. Researchers there examined local utility company records for 136 homes from 1973 to 1978, a period when energy costs were going up sharply. Some, but not all, homes responded to the price increases by turning down their thermostats and reducing their energy usage. Why? Questionnaires indicate that the customers who were using less did so not because of attitudes toward energy conservation and responsibility but because of "price consciousness." They wanted to save money. The energy supply had gone down, the price had gone up, so the demand went down.

Or, as the *Psychology Today* headline put it, "Greed, Not Gimmicks, Saves Energy."

WATCHING SUNSET

In 1976, Common Cause—a good-government reform group in the old Progressive tradition—began pushing the idea of sunset laws. These laws provide for the periodic review of state agencies under the threat of automatic termination unless they are affirmatively recreated by law.

Largely as a result of Common Cause's lobbying and a general feeling of disgust with government bureaucracy, 35 states have enacted such laws in the last six years. Common Cause has now published a survey of their successes and failures. The results may be colored by the fact that they're based mainly on questionnaires received from state officials directly involved in sunset laws, but they're still quite instructive.

The report stresses that, from the start, the "major objective of sunset [laws] has been better government performance not spectacular dollar savings." The automatic termination provision has been an "action-forcing mechanism to require state legislators to conduct serious program evaluation," rather than a device aimed at reducing government expenditures. Those who have suggested it could do the latter have, in Common Cause's view, "oversold the concept." Even so, the report does not fail to note that of the nearly 1,500 agencies that have been reviewed since 1976 under the sunset process, one in every five has been terminated, one in every five modified, and less than half recreated with little or no change.

An interesting example of what can be accomplished by sunset laws is in Texas, where the law provides for periodic termination, in a 12-year cycle, of all agencies except the courts and institutions of

higher education. As part of the review process, the state's Sunset Advisory Commission established 11 criteria for reform by state agencies, such as revising restrictive rules to allow advertising and competitive bidding practices.

While the 11 commission recommendations have been incorporated in more than 70 percent of applicable cases overall, the report notes that some regulated professional groups have fought them tenaciously. In 1979, Common Cause/Texas surveyed the amount of campaign contributions to legislators from professionals affected by that year's sunset reviews and found that "the two lowest rates of sunset implementation (i.e., commission recommendations adopted) corresponded to the largest amounts of campaign contributions." Specifically, Texas lawyers and realtors were successful in preventing serious deregulation—let alone reduction or elimination—of the State Bar and the Real Estate Commission.

As for successes, the Common Cause report cites the sunset review of the Texas Board of Pharmacy, which resulted in minor reforms such as providing for the appointment of at least two public members to the board—not earthshaking changes, to be sure.

Joe Holley, coeditor of the respected investigative magazine *Texas Observer*, tells REASON that the real test of the sunset laws in Texas will come later this year when some of the most powerful agencies in the state, including the Railroad Commission that regulates oil and gas production, will be up for review.

In the meantime, it is evident that sunset laws have not yet brought a New Jerusalem of free enterprise and reduced government in Texas or anywhere else. But a few positive changes here and there, including the elimination of some 500 agencies in six years, is not to be sneezed at.

BILINGUAL RULES OVERRULED

Emigrants to a new land have to choose what of their former identity they will try to retain and what they will abandon, and the choices are complicated and occasionally painful. One of the most difficult but necessary tasks is learning the language of their new land.

In a recently published book entitled *Hunger of Memory*, Richard Rodriguez tells what the Spanish and English languages meant to him as a Mexican-American child growing up in Sacramento, California. "Supporters of bilingual education today imply that students like me miss a great deal by not being taught in their family's language," he writes. "What they seem not to recognize is that as a socially disadvantaged child, I considered Spanish to be a private language. What I needed to learn in school was that I had the right—and the obligation—to speak the public language of *los gringos*. . . . Without question, it would have pleased me to hear my teachers address me in Spanish when I entered the classroom. I would have felt much less afraid. I would have trusted them and responded with ease. But I would have delayed—for how long postponed?—having to learn the language of public society. I would have evaded—and for how long could I have afforded to delay?—learning the great lesson of school, that I had a public identity. Fortunately, my teachers were unsentimental about their responsibility. What they understood was that I needed to speak a public language."

Rodriguez, a sensitive and powerful writer, has since the publication of his book been the victim of political reductionists on the right and left: according to *Time*, he has been "quoted and courted by an array of right-wing politicians 'for whom,' he says, 'I would never vote,' and called a 'brown Uncle Tom' by minority groups." The reason is that, in

Gold & Silver

You *know* why . . . But *Who*?

R. W. Bradford & Company has served the hard money investor with same day shipment, concise market reports, ***guaranteed*** delivery and authenticity, and ***lowest prices.*** And we've been doing it since 1971. Isn't it time you began to deal with R. W. Bradford & Company?

Check **RWB** out. Call for our quotes, and compare **RWB** prices with those of your present dealer. You will find out how much you can save by dealing with **RWB.**

Or fill out the coupon to the right for a sample of our newsletter and our ***"Gold/Silver Information Packet."***

R. W. Bradford & Company
P. O. Box 1167
Port Townsend, WA 98368
(206) 385-5097

Please send me your ***"Gold/Silver Packet"*** and a copy of your most recent newsletter.

name

street

city state zip

speaking from his own experience, he has had the temerity to criticize bilingual education as actually harmful to the people it is purported to help. "Only when I was able to think of myself as an American," he says, "no longer an alien in gringo society, could I see the rights and opportunities necessary for full public individuality."

Since 1975 the federal government has required more than 500 school districts to put into effect for students who do not speak English a full-time bilingual education program until they are "proficient" in English. This was a result of the Supreme Court's *Lau* decision, involving Chinese students in San Francisco, which said that schools must take "affirmative steps" to help children who cannot speak or read English.

In March, however, the Department of Education quietly withdrew its bilingual education guidelines. Now schools can choose "any effective approach" to teaching these children, including "total immersion" in English.

The *Los Angeles Times* reports that "National education groups say they have finally found something to praise about a Reagan Administration action. At a...Senate hearing, representatives of state school chiefs, state school boards, and school principals endorse[d] the Administration's efforts to permit greater 'flexibility' under the *Lau* ruling and the Bilingual Education Act."

Giant
Heavy Duty Boat Tarpaulins

12 x 16	$23
16 x 20	$32
20 x 20	$36
18 x 24	$38
18 x 32	$50
20 x 30	$50
26 x 40	$89
26 x 55	$115
30 x 60	$145
50 x 100	$390
60 x 120	$547
50 x 150	$562

Before Midnight October 17

Firestone Tarp Mfg. will send any of the above boat size tarpaulins to any reader of this publication who reads and responds to this test before midnight, October 17. Each Tarpaulin Lot (#Z-18, PVC) is constructed of high density fabric (with virgin grade ingredients, supplied by Gulf Oil Co., Dow Chemical Co., and Union Oil Co.) with nylon reinforced rope hems, double lock stitched hems, electronically welded seams, 100% waterproof #4 (½" dia.) metal grommets set on 3 ft. centers with reinforced triangular corner patches and are recommended for all heavy duty use, all yachts and sailboats, and all bulk or pallet riding materials, and will be accompanied with a LIFETIME Guarantee that it must perform 100% or it will be replaced free. Add $7 handling and crating for each tarp ordered, *Firestone Tarp Mfg.* pays all shipping. Should you wish to return your tarpaulins you may do so for a full refund. Any letter postmarked later than October 17 will be returned. LIMIT: Fifty (50) tarps per address, no exceptions. Send appropriate sum together with your name and address to: Tarp Test Dept. #525F, *Firestone Tarp Mfg. Inc.*, 6314 Santa Monica Blvd., Los Angeles, CA., 90038, or for fastest service from any part of the country call collect before midnight 7 days a week.

CALL COLLECT (213) 462-1914
(Ask operator for)
TARP TEST #525F
Before midnight, 7 days a week
Have credit card ready

SOCIALISM VS. PROSPERITY

If devotion to socialism could somehow guarantee prosperity, Algeria would today be the resplendent economic miracle of the Third World. After winning a long and bloody war to gain independence from France 20 years ago, Algeria was considered a showplace for vigorous revolutionary socialist leadership.

As it happened, however, revolutionary socialist leadership didn't quite pull through in the crunch. By the time the current president, Chadli Benjedid, came to power in 1979, shortages and dislocations were widespread. There was inadequate housing, extensive unemployment among youths, and consumer shortages, and Algeria, once a net food exporter, needed to import 1.3 million tons of wheat that year, according to the *New York Times.*

In the last three years, Benjedid's regime has done an about-face. It retains much of the rhetoric of socialism (socialism is still the official doctrine of the country's only legal political party, the National Liberation Front), but it has quietly been implementing some unmistakably capitalist reforms. Benjedid is in the process of breaking up state control of almost all production and distribution of goods in Algeria; the government is selling 145,000 housing units to private renters; the country's 1980-84 plan has postponed most new state projects and streamlined existing ones; and Benjedid has said that the government is now going to encourage a "nonexploitative private sector" to expand in the retail, housing, and tourism industries.

And that's not all. In a departure from earlier promotion of state-run agricultural collectives, the government is giving individual farmers more credits and encouraging them to till small plots that they can own. Furthermore, in an effort to attract Western investment, Algeria is simplifying its investment code and considering tax holidays for investors in consumer goods industries, housing, and electronics.

Col. Slimane Hoffman, a close aide to Benjedid, told the *New York Times*, "We

admit that, like many other people who have passionately pursued economic growth, we have made mistakes in our development. We are not rigid but flexible, and we learn from whatever mistakes we have made."

Meanwhile, in Cuba, the limited free market in consumer goods that has been grudgingly permitted by the government has prospered far beyond the expectations of state planners. The *Times* notes that the prices of privately sold goods are high: a woman who earns $160 monthly as an accountant gladly paid $60 for a pair of shoes and $90 for slacks, for example. But at least the products are available, which is usually more than can be said for state stores. Consequently, people prefer paying the high prices of the private market over going without the products altogether.

The government is evidently alarmed. It recognizes that the markets stimulate production and satisfy consumer demand, but they undermine socialist morality tremendously. "Without question, the free peasant market is a capitalist formula to resolve some basic needs," Fidel Castro said recently. "I have the hope it won't be eternal."

Some entrepreneurial souls have done quite well under daunting circumstances in Cuba. There are stories of private farmers creating small fortunes. One peasant, it is said, even moved into the Havana Libre Hotel, among the capital's best. The government recently cracked down on some of the more audacious entrepreneurs, and Castro blasted them in a speech.

"The people want markets, but with abundant products at low prices," he said. "But what happened? The go-betweens took over the markets and inflated the prices. Some of them would have been brilliant on the New York Stock Exchange."

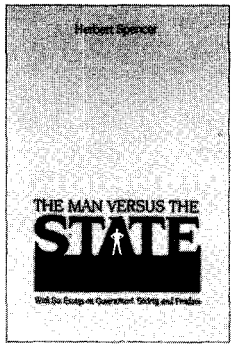
APARTHEID UNDER ATTACK

Racial discrimination is generally considered so repugnant that most governments that practice it are too embarrassed to admit it publicly, but South Africa with its apartheid remains a curious and ugly exception to the rule. For decades, the government hasn't flinched from enforcement of rigid segregation, the use of pass systems, and suspensions of civil liberties. It is a durable system, and there's little reason to be sanguine about the chances for fundamental change soon. There are, however, some very interesting breezes blowing there.

First, a commission instigated by Chief Gatsha Buthelezi—the leader of South Africa's largest ethnic group, the Zulus—has proposed a single multiracial democratic government combining Natal, one of South Africa's four provinces, and Zululand, a proposed black-ruled "homeland." The 47-member commission, which was broadly representative of political parties and interest group leaders of all races (it even included two non-South Africans), said that since Natal and Zululand are already geographically and economically integrated, they should be politically integrated as well. It proposed that Natal-Zululand have a legal status similar to a Canadian province or Swiss canton.

If a multiracial democratic government would work anywhere in South Africa, it would probably work in Natal. The Zulus are politically cohesive and have a leadership considered effective and relatively moderate. Most of the whites in Natal are English-speaking and are generally less intransigent and intolerant than the

LibertyPress
LibertyClassics



The Man Versus the State
With Six Essays on Government, Society, and Freedom

By Herbert Spencer
Foreword by Eric Mack
Introduction by Albert Jay Nock

This volume contains the four essays which Spencer published as *The Man Versus the State* in 1884. It also includes five essays which later publishers have at various times added to the original four. In addition, it provides "The Proper Sphere of Government," an early essay by Spencer which has long been overlooked.

In these essays Spencer develops various specific ramifications of his thesis that "there is in society . . . that beautiful self-adjusting principle which will keep all its elements in equilibrium . . . the attempt to regulate all the actions of a community by legislation will entail little else but misery and compulsion." Hardcover $13.00, Softcover $6.00.

Prepayment is required on all orders not for resale. We pay book rate postage on prepaid orders. Please allow 4 to 6 weeks for delivery. *All* orders from outside the United States *must* be prepaid *in U.S. dollars*. To order, or for a copy of our catalogue, write:
Liberty*Press*/Liberty*Classics*
7440 North Shadeland, Dept. J63
Indianapolis, IN 46250

Afrikaners, the majority of South Africa's white population.

Perhaps the most encouraging response to the Buthelezi Commission report is that it has been widely debated in South Africa, and the government has not rejected its proposals outright. Arend Lijphart, an American political scientist who served on the commission, has suggested in a *New York Times* oped article that the United States and other Western democracies could plausibly say to the South African government, "Here is a reasonable concrete plan for a first step; this is the minimum we expect you to do—without delay."

Another development is that 123 ministers of the Dutch Reformed Church, a major force in the Afrikaners' cultural life and a bastion of apartheid, have signed a public letter to a religious journal saying that apartheid "cannot be defended scripturally" and calling for racial equality. They said that laws forcing relocation of blacks and allowing them to be paid lower wages and given inadequate housing and education "cannot be reconciled with biblical demands for justice and human dignity." The *Rand Daily Mail*, an English-language newspaper, called the letter "the most important development in the Afrikaans [language] churches in more than 20 years."

More quietly, there are important social and economic dynamics tending toward change in South Africa, and it is harder and harder for the government to brush them off. The *Economist* observes that "the growth of trade unions, divided but increasingly potent Zulu tribalism, the continuing dull ache of Namibia, partial rapprochement with at least some of South Africa's northern neighbors—all these things are compelling the Nationalists [the ruling party] to acknowledge that blacks not only exist but are developing de facto rights."

South Africa remains a country to watch closely.

BANKING ACROSS THE BORDERS

The once-formidable barriers to extensive interstate banking are beginning to crumble.

In the past, the federal government has looked askance at the idea of interstate banking. Federal law absolutely prohibits banks from branching across state lines, but it does allow bank holding companies to do so if the state into which they are moving approves enabling legislation. Until recently, only South Dakota and Delaware permitted interstate banking, and then only for limited purposes. But in June both Alaska and New York enacted laws permitting interstate banking.

The New York law allows holding companies in other states to purchase subsidiary banks in New York if their home states provide the same opportunity to New York banks. The Alaska law, the most liberal bank-entry regulation in the country, permits out-of-state holding companies to purchase Alaskan financial institutions regardless of banking regulations in their home states.

Advocates of liberalized banking regulations contend that banks are currently at a serious disadvantage compared to such financial institutions as American Express Co. These new regulations, they say, will enable banks to compete in offering the same services on a regional or national basis.

Perhaps the most ambitious interstate banking project is an effort by Citicorp of New York to acquire the Fidelity Savings and Loan Association chain of San Francisco, which one analyst called a "basket case." The *New York Times* reports that Citicorp has been trying for years to compete for consumer deposit business in California, but it has been continually frustrated by the California banking lobby.

Now, Citicorp seems to be making headway. It has won support from the chiefs of the Federal Home Loan Bank Board and the Federal Savings and Loan Insurance Corporation and has reportedly spent millions of dollars for lobbying in the California legislature.

California's chief thrift-unit regulator, Linda Tsao Yang, is adamantly opposed to Citicorp's bid. "This would present a very drastic change in the whole infrastructure of financial institutions across the country," she told the *Times*. "I would oppose it with my last ounce of energy." She contends that perfectly adequate bids for Fidelity have been already made by two California financial institutions.

Still, Citicorp hasn't given up. If it wins the battle, it would mark the first time a commercial bank holding company had crossed state lines to link up with a sav-

FUTURE OF FREEDOM CONF. '82
CALIFORNIA STATE UNIVERSITY, LONG BEACH
October 1, 2 & 3 in the Student Union
Featuring:
Nathaniel Branden • Thomas Szasz • Douglas Casey
With:
George Smith • Wendy McElroy • Robert LeFevre • John Hospers
Jack Matonis • David Friedman • Gary Hudson • John Pugsley
Jeffrey Rogers Hummel • Jeff Riggenbach • Devers Branden
Plus:
Friday Nite Banquet with Nathaniel Branden [Oct. 1]
Saturday Nite Party with Live Band & Special Guest Host [Oct. 2]
Ticket Prices
☐ Student 2-Day Ticket $18/22/25
☐ Non-Student 2-Day Ticket $35/40/45
☐ Student 1-Day Ticket $12/15/18
☐ Non-Student 1-Day Ticket $22/25/30
☐ Saturday Nite Party $5/7/9
☐ Friday Nite Banquet Regular Table $20/25/35*
☐ Friday Nite Banquet Golden Table $35/40/NA
Deadlines For Ticket Discounts
Post Mark Date . . . . . Sept. 2/Sept. 20/At Door
*Subject to availability.
☐ **Please send more information.**
Name _____
Address _____
City/State/Zip _____
Phone _____
College or University _____
Please make checks payable to:
FUTURE OF FREEDOM CONFERENCE '82 **Total Enclosed: $** _____
P.O. Box 4, Fullerton, CA 92632 [714] 979-5737

ings and loan. As the *Times* says, it would have the result of rewriting, de facto, the nation's banking laws.

FREEDOM FIGHTERS TAKE TO THE AIRWAVES

Recently, some Western supporters of the beleaguered Afghan guerrilla forces, including French philosopher Bernard-Henri Levy and Soviet exile Vladimir Bukovsky, have organized Radio Free Kabul, an underground radio network operating within Afghanistan. Using seven Italian-made transmitters that are about as large as a suitcase and cost only about $2,000 each, the guerrilla forces are broadcasting news and information in local Afghan languages, communicating with their own forces, and even broadcasting Russian-language programs aimed at the troops at the Soviet airbase at Baghram.

The transmitters themselves are operated by the five major Afghan guerrilla groups. They have formed a joint committee to decide the content of the broadcasts and make sure that the messages of each group are heard. The guerrillas were trained by Levy, French painter and journalist Marek Halter, Italian film maker Renzo Rossellini, and two French technicians. In a daring exploit, they smuggled themselves and the transmitters into Afghanistan and spent six weeks showing Afghan guerrillas how to operate the equipment.

The Afghan government has been less than pleased with the underground broadcasts. But because of the rugged Afghan terrain, it is tremendously difficult for the government and its Soviet mentors to ferret out the transmitters, so the government has offered a reward of 10,000 afghans (the local currency) to anyone who can provide information leading to the capture of a Radio Free Kabul transmitter. They nearly bombed a transmitter some months ago, but luckily, only the antenna was hit and the transmitter was reportedly broadcasting again the next day.

It's all "a Jewish radio station on Pakistani territory," Radio Kabul snarled, and it is run by "elements belonging to Western and Israeli espionage organizations." But according to the New York-based human-rights magazine *Freedom at Issue*, the funding for Radio Free Kabul has come from private French and British donations and is handled by an organization made up mainly of French intellectuals called the Human Rights Committee.

Bukovsky, who has been active with Radio Free Kabul from the start, is now seeking funds from the United States for the project. Donations, earmarked "Radio Free Kabul," may be sent to the Committee for Free Afghanistan, 1237 Pennsylvania Ave., SE, Washington, DC 20003.

INSANITY REFORM

In the wake of the verdict in the trial of John Hinckley for shooting the president and two other men, considerable attention is being devoted to reform of the insanity plea in criminal cases. In the last few years five states—Michigan, Illinois, New Mexico, Indiana, and Georgia—have been experimenting with one such reform, a plea called "guilty but mentally ill" (GBMI). The day after the Hinckley verdict, Delaware's legislature approved introduction of the GBMI plea in that state.

The *Wall Street Journal* reports that in

A PERFECT GIFT: DELUXE REASON BINDERS

Specially designed binder holds a full 12 issues of REASON. Perfect for gifts — or for yourself. Place your order today!

Mail to: Reason Binders, Box 40105, Santa Barbara, CA 93103

Please send me ☐ Reason Binders @ $7.95 ea. ☐ 4 Binders for $30.00
(Postage and handling included. CA residents add 6% sales tax.
Orders outside U.S. add $1.50 per file for postage and handling.)

Payment must accompany order.

Name _____

Address _____

City _____ State _____ Zip _____

GBMI cases, the mentally troubled person convicted of a crime is required to serve the same jail sentence as if he were judged mentally stable and must serve the full term behind bars. Theoretically, however, the prisoner also receives psychiatric treatment while serving the sentence.

Michigan pioneered the GBMI plea in 1975. Assessments of its success are mixed so far. Len Rubinstein, a Mental Health Law Project attorney in Washington, calls the plea "prosecutorial sleight of hand under the guise of addressing the problems of the insanity defense." Elissa Benedek of Michigan's Center for Forensic Psychiatry in Ann Arbor is less critical. She says that GBMI "makes everyone feel better.... Attorneys feel they've achieved something for their clients, juries feel better, even defendants may feel better for a while."

Benedek suggests, however, that GBMI is not a panacea for the thorny problem of the insanity plea (which, incidentally, is still in effect in Michigan) and says that legislatures should try to change the standards of commitment for people found guilty of violent acts but judged to be mentally ill.

COST IN SPACE

While the fourth space shuttle orbited the earth, politicians, accountants, and financiers struggled with a more mundane problem: Who's going to pay the bills? The furor was touched off by a General Accounting Office report (Feb. 23, 1982), urging that NASA reconsider its pricing policy for shuttle customers—including the Defense Department.

NASA's present fees were established in 1977, based on 1975 dollars adjusted upward for inflation. Since then, not only have the shuttle's actual costs exceeded projections, but its own budget problems have led to procurement of only four, rather than five, vehicles. That has cut the total projected flights over the next decade from 487 to 312. Hence, many of the operating costs will now have to be spread over 175 fewer missions.

GAO argued that NASA should void the existing price structure (except where commercial contracts had already been signed) and set new prices that would cover all operating costs. NASA didn't go quite that far. In June it announced new rates for civilian users, increased by 85 percent over the old ones, effective October 1985. It also announced that it was negotiating new rates with the Department of Defense, which would still be cheaper than civilian rates. The Senate Commerce, Science, and Transportation Committee had approved a bill in May requiring Defense to start paying the full cost immediately.

One way to ease the dilemma would be for NASA to agree to the Space Transportation Company's offer to pay for production of a fifth shuttle (see Trends, Apr. 1982). Prudential Insurance has offered to buy 40 percent of STC and has hired a Washington lobbyist to promote the firm's shuttle proposal. A study by the American Institute of Aeronautics and Astronautics recently concluded that four shuttles would "be unable to meet projected user demand" by 1990.

Other private entrepreneurs continue to show interest in commercial space flights. A group of United Airlines pilots has formed the American Society of Aerospace Pilots (ASAP). United's pilot training department is developing a two-year training course on space flight, based on NASA astronaut training materials. ASAP plans to use the material to operate the world's first commercial space flight ground school. United also has a team at the Kennedy Space Center studying shuttle maintenance and turnaround procedures. It is expected to be among the bidders when NASA issues a request for proposals this fall to privatize shuttle refurbishing operations at Cape Canaveral.

Meanwhile, another private launch service continues to make progress. Space Services, Inc., has obtained two Minuteman I second-stage motors for its launch vehicle from NASA, after being turned down by the Air Force. SSI plans to launch a 600-pound payload over the Gulf of Mexico in September, using a single-stage rocket. If that test succeeds, the next step will be a three-stage orbital mission to be launched from Hawaii.

MILESTONES

• *Fitzgerald victorious.* A. Ernest Fitzgerald, the Air Force civilian analyst who was dismissed 13 years ago for telling Congress about multi-billion-dollar cost overruns, has won a promotion and $200,000 in legal fees as part of a settlement of one of his suits against the federal government. The Air Force hadn't complied with a Civil Service Commission order to reinstate him in his old job equivalent and give him back pay.

• *Social insecurity.* According to a Gallup Poll, about 63 percent of working people fear they might not receive *any* social security benefits by the time they retire. The poll also found that a whopping 26 percent of those now employed think that current social security benefits are "just about right."

• *Free market tampering.* The *Wall Street Journal* in a detailed report has pointed out that the United States is almost alone in using trade restraints as a foreign policy weapon, and we're paying an enormous price. One such self-righteous escapade, Washington's 1980 embargo on grain sales to the Soviet Union, is estimated to have cost the nation $11.5 billion in lost output, almost 310,000 jobs, and $3.1 billion in personal income.

• *Hi-tech Jeffersonianism.* Sen. Robert Packwood (R-Oreg.) has proposed a new constitutional amendment that would extend to telecommunications the First Amendment rights currently enjoyed by the printed press. Packwood suggests that the government shouldn't be regulating freedom of expression of any kind. Besides, there's the danger that since newspapers are increasingly using satellite transmissions that are already subject to government regulation, the government could use its power to censor (or, more euphemistically, regulate) newspaper content.

• *Take-over law struck down.* In June the Supreme Court ruled that the Illinois corporate take-over law, which permitted state government to block tender offers if it found them "unfair" or insufficiently detailed, is an unconstitutional interference with interstate commerce. The decision is expected to affect all 37 states that have adopted corporate take-over laws in the last 14 years.

• *Accountants can advertise.* The West Virginia Board of Accountancy has suspended a regulation barring accountants from competitive bidding, advertising, and solicitation of business, and it intends to do away with the regulation altogether. The board took this action after learning that the Justice Department was going to file a civil antitrust suit against them if they didn't mend their ways.

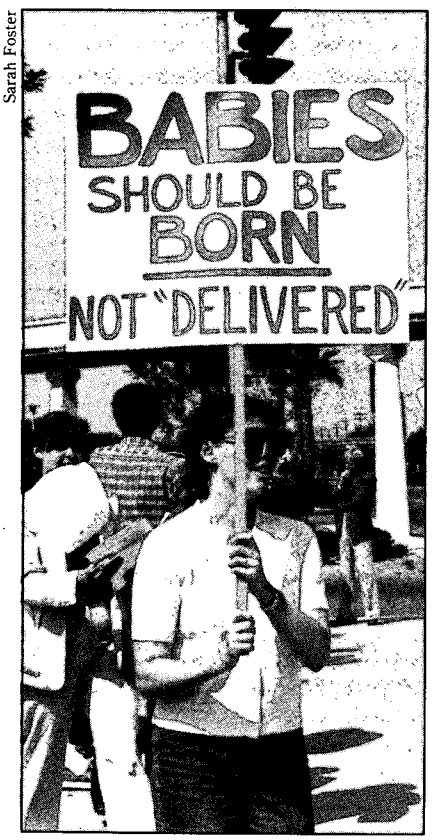
• *PURPA wins.* The Supreme Court ruled in June that the 1978 Public Utility Regulatory Policies Act (PURPA), which exempts small electric power producers from regulation and paves the way for regulated utilities to purchase power from the smaller producers, is a constitutional exercise of congressional authority.

—ROBERT POOLE, JR., AND PAUL GORDON

BY SARAH E. FOSTER

Home births are catching on, but the medical establishment seems determined to outlaw midwives.

UP AGAINST THE BIRTH MONOPOLY



Sarah Foster

SANTA CRUZ, CALIFORNIA; MARCH 6, 1974. It was nearly noon on a Wednesday morning when a man phoned the Birth Center, a volunteer community home birth service. "Please send a midwife quickly," he begged. "Terry is in labor." With feelings of misgiving, Linda Bennett, a midwife, and Jeanine Walker, an apprentice, drove to the address given. They knew the pregnant woman, Terry Johnson, and her husband, Peter, but not well. She had made only a few visits to the center and was not due to have her baby for two or three months. It was unlikely she was in labor.

At the apartment they were greeted by men dressed like hippies. Terry didn't seem to be there, but the men said she was in the shower. As Bennett tells it, one of the men tried to press a 50-dollar bill into her hand. She refused to take it and laid it on the table, but it was slipped into her purse.

The rest can be guessed. The "husband" and his "friends" were really undercover investigators and cops: agents of the California Attorney General's Office, the Bureau of Medical Quality Assurance, and the local police. When Bennett started toward the bathroom to speak to Terry, she and her assistant were arrested. The charge? "Practicing medicine without a license"—a violation of the California Business and Professions Code.

Two policemen took them away for booking. The other agents proceeded to the Birth Center and

"There will be a midwife problem as long as there is a midwife."
M. PIERCE RUCKER, M.D., 1923

broke in on a meeting of pregnant women and mothers with newborn babies. They had come for the regular weekly "rap session" and found themselves in the middle of a police raid.

Kate Bowland, director of the center, was arrested and hauled off to join Bennett and Walker in the Santa Cruz jail, though not before the local media had been alerted and she had given interviews to reporters. To substantiate the charge of practicing medicine, the agents seized such "incriminating evidence" as notebooks, blood pressure cuffs, stethoscopes, and even diapers.

It was the beginning of an all-out attack by the medical establishment on the growing home birth movement, which had begun in the late 1960s and was in full swing by the mid-1970s—as evidenced by such developments at the Birth Center.

The center had been founded in a spirit of enthusiasm, defiance, and hope. A number of couples in and around Santa Cruz were arranging to have their babies born at home even though no physicians in the area would attend a home birth. Although at first these couples were from the "counterculture," by 1970 they were being joined by middle-class couples—people who ordinarily went to hospitals and paid a good price to have an obstetrician deliver their babies. They were willing to pay for the best, but that was not what they felt they were getting, and they began to drop out of the system.

In January 1971, according to natural childbirth educator Raven Lang, a group of Santa Cruz obstetricians and public health officials decided that the doctors should refuse to give prenatal care to any woman known to be planning a home birth. Since prenatal care is a major factor in assuring a safe delivery, home birth proponents sought an alternative.

Led by Raven Lang, a small group of lay midwives (midwives who are not nurses), childbirth educators, and sympathetic nurses organized the Birth Center, using part of a suburban house for their headquarters. The center provided counseling, classes, and discussion groups—and, compliments of the nurses, prenatal examinations. Within three years, beginning in 1971, the eight-woman staff had attended nearly 300 births in Santa Cruz County. The center was a success—entirely too much so from the point of view of the doctors who enlisted the state to put it out of business.

California regulators developed an elaborate scheme that culminated in the events of March 6, 1974, at Terry Johnson's home and later the Birth Center. It involved an assortment of government agencies, 13 undercover agents, one pregnant accomplice (a clerk in the Department of Consumer Affairs), and untold tax dollars. Not since the early decades of this century, when in cities like New York the public health officials made great "sweeps" to round up immigrant midwives, had a group of unlicensed midwives been subjected to such investigation, entrapment, and arrest. Ane why were they unlicensed? Because in one of the Catch-22s of the regulatory state, the California legislature decided in 1949 that lay midwives could no longer be certified in that state.

The three women from the Birth Center did not give up readily. In court, their defense argued that assisting at a birth does not constitute the practice of medicine as defined in the Business and Professions Code, since childbirth is not a disease. The defense also challenged the constitutionality of the state's interpretation of the code, arguing that enforcement abridges a woman's right to choose her birth attendant, thus violating the right to privacy.

The case went through several appeals, finally reaching the State Supreme Court, which ruled against the women in 1976. Argued the court in its decision:

. . . normal childbirth, while not a sickness or affliction, is a 'physical condition' within the meaning of the Business and Professions Code. . . . it is clear that the practice of midwifery without a certificate is prohibited.

The argument about a right to privacy was summarily dismissed:

. . . the right of privacy has never been interpreted so broadly as to protect a woman's choice of the manner and circumstances in which her baby is born. . . .

It is true that the Legislature has never attempted to require women to give birth in a hospital, or with a physician in attendance. . . . But the state has a recognized interest in the life and well being of an unborn child.

Having won their point, the district attorney's office decided not to prosecute after all. The midwives could have appealed to the US Supreme Court, but if they lost there it might impose the definition of midwifery as the practice of medicine upon the rest of the country. They did not want to risk losing the case for midwives elsewhere.

THE BIRTH CENTER WAS NO longer a threat to Santa Cruz obstetricians, but women continued to look for alternatives to hospital delivery and found people to help them. Although out-of-hospital births account for only 3.6 percent of the births in California, in some counties the percentage is 10-20 percent, and in Mendocino County, north of San Francisco, it's 50 percent. The California Association of Midwives estimates that there are about 600 lay midwives in practice in the state, some with such good reputations they're booked ahead for months.

With justification, California has been credited with being the fountainhead of the home birth movement. Nationwide, of the 3.3 million births a year, 2 percent are out-of-hospital, and the number is increasing. We don't know what percentage of these are deliberately planned, however, just as we don't know how many hospital births reflect willing acceptance of hospitalization or resignation because no other options are readily available.

As the idea of home birth caught on throughout the country, it attracted not only enthusiastic supporters but the kind of opposition faced in Santa Cruz, characterized by harassment and the use of political power and force. There's an all-out war being waged in every part of the country—directed against parents who want a particular experience of which the medical establishment does

not approve, and against anyone who will help them. From Alaska to Florida, from New York to California, there's not one state where midwives, or even doctors, can without difficulty of one kind or another provide home birth services to parents who request it, and not one state where parents are free of possible intimidation and censure for choosing this alternative. Some have even been threatened with charges of child abuse! *And all this despite the fact that in no state is home birth illegal, and in no state is it illegal for a doctor to do home deliveries.*

If couples are planning a home birth, they may, like the women in Santa Cruz, find themselves denied prenatal or postpartum care. Helen Burst, president of the American College of Nurse Midwives, says she quit her job in disgust when the South Carolina hospital where she was working ordered her to refuse prenatal care to parents whom she knew were planning a home birth. To provide such care is to condone home birth, she was told—and this is an "unprofessional" attitude.

Lay midwives (those without institutional training) face the possibility of arrest for practicing medicine without a license in those states where lay midwifery is illegal—and it is legal in only 14. There have been a number of trials and hearings and some convictions. So far, none have actually done jail time. Dee Burns, a midwife in southern California, will probably be the first. She was convicted in March 1981. Her appeals have been unsuccessful, and she is resigned to spending 30 days in the Ventura County Jail.

Sympathetic physicians stand to lose hospital privileges or malpractice insurance if they back a midwife (provide consultation or admit her patients to the hospital in case of emergency) or if they provide prenatal care to a "known" home birth parent. As with Helen Burst, this is called "condoning home birth."

Doctors who are willing to attend home births are few and far between, and a number of them have had their licenses suspended or revoked on charges of malpractice. Usually, such tactics as hearings and court proceedings against home birth doctors are unnecessary. Errant doctors are brought into line merely with a threat of loss of hospital privileges or insurance.

At the legislative level, the game is played fast and loose. Perhaps there's an old law on the books permitting lay midwifery. Then an effort may be made to repeal the law—but secretly, attached to a bill or at the end of a session. That was tried in Maryland in 1976, but midwives heard about it, showed up at the hearing, and managed to defeat it—to the consternation of doctors and the Department of Public Health.

But most states have no provisions for licensing lay midwives, and the medical community intends to keep it that way. Any attempt to legalize lay midwifery is fought tooth and nail. In California, where a strong faction within the Department of Consumer Affairs wants to see midwifery legalized, the California Medical Association has given a Priority I status to three recommendations: to continue opposition to lay midwives and home birth, to set up a task force for collecting "statistical and other material" to corroborate this opposition to midwives and home birth, and to obtain an attorney general's opinion on whether registered nurses are legally permitted to deliver babies and, if so, to "seek means by which such practice can be terminated." (Presently in California there are two RNs doing home deliveries.)

In Ohio, a bill nearly passed that would have made practicing midwifery without a license a felony carrying a five-year prison sentence and fine. (It also granted subpoena power to the Ohio Medical Board and granted that board the right to suspend a doctor's license without a hearing.) The bill lost by one vote in the lower house, having cleared the senate unanimously. Recent legislation in Ohio would restrict the hospital privileges of certified nurse midwives.

The recent experience in Alaska is unique. A bill sponsored by Democrat Bryon Rogers and cosponsored by Libertarian Dick Randolph has been approved. It legalizes lay midwifery and sets up a system of voluntary certification. (Certification is not a mandated condition for practice, and lack of certification is not a criminal offense.)

Even *teaching* about childbirth in ways not approved by the medical profession

Suzanne Arms

Midwife prepares to assist with at-home birth.

can be subject to state action. A Bakersfield, California, home birth physician, Carrie Teasdale, was planning to hold a class in natural childbirth through the Adult Education Department of the University of California, Santa Barbara. It was to be held on a weekend and carry one unit of credit. Local doctors objected, and the university withdrew its support. "So much for academic freedom," Dr. Teasdale told the press.

All these actions by doctors and their allies are in one way or another reaffirmations of the official position of the American College of Obstetricians and Gynecologists (ACOG), a 23,000-member trade association. According to ACOG's 1975 statement of policy on home deliveries: The "potential hazards" of labor and delivery "require standards of safety which are provided in the hospital setting and cannot be matched in the home situation." Warren Pearse, M.D., executive director of ACOG, editorialized in the organization's newsletter in July 1977: "Home delivery is maternal trauma—home delivery is child abuse!"

Suzanne Arms

Family and midwife gather around mother and newborn baby minutes after at-home delivery.

THERE ARE MANY PEOPLE WHO plan never to have children or, if they do, will go straight to the nearest hospital. They find it difficult to appreciate fully the problems faced by home birth parents. "Yes, a woman has the right to a choice, and yes, the doctors are behaving abominably, but what's that to me?" they ask.

It matters because the right to choose where to have one's child, and under what conditions, is a little-recognized but important issue in the area of civil and individual rights. Historically, the political and legal developments in matters surrounding childbirth have been illustrative and often predictive of political and legal developments in health care in particular and government control in general—a distinction it shares with institutionalized psychiatry.

For over 500 years, beginning in the Renaissance, the medical profession has been consolidating its power base and is so involved in our lives that its influence goes virtually unchallenged. This has been accomplished in large part through enlistment of the state to enforce various controls. Medicine and government are interlocked as closely today as were church and state during the Middle Ages. Psychiatrist Thomas Szasz has aptly labeled this present institution the "therapeutic state," as distinguished from the "theocratic state" of the Middle Ages.

Now while the dependence of the medical establishment on the state has often been noticed, the converse is not generally realized. Without the cooperation of the medical profession, the state would not be as powerful as *it* is. It was largely through demands from medical organizations and from influential physicians—for everything from licensing of "approved" practioners to health codes—that regulatory agencies came into being. Doctors were the first to lobby successfully for mandatory controls, monopolistic privileges, and other "reforms" of their profession.

Control over childbirth (who could attend, where it could take place, what practices were permitted or outlawed) established the precedents for other kinds of controls. State licensing of midwives was the first licensing of any class of health care provider. Originating in Germany in the late 15th century, just as the old guild system was breaking down, it led to licensing of other classes of practitioners and ultimately to the licensing ("professionalization") of trades and services as diverse as CPAs and car mechanics.

Midwives, during the colonial period and at other times, were required to report all births to the authorities and to give testimony in cases involving suspected illegitimacy or infanticide. Doctors, bound by the Hippocratic Oath, were under no such obligations. Nor were doctors under state mandate to provide care to anyone who needed it or to limit the amount charged for their services—requirements that were imposed on midwives.

Today there are at least 70 federal programs, administered by several agencies, that concern themselves with pregnancy outcome. The blunt wording of the *Bowland* decision handed down by the

California Supreme Court presents the general rationalization: "The state has a recognized interest in the health and well being of an unborn child."

A number of people, including many doctors, foresaw what would happen and tried to give warning. They were ignored. After all—how could anyone object to helping newborn babes and their mothers? Laws were passed, agencies established—all in the name of health, the "public good," and "a recognized interest." Anyone concerned about the lack of freedom in our lives today should be aware of the issues involved in the home birth movement. If you want to know what's to come in our "therapeutic state," watch developments on the home birth front.

"WHEN I FIRST HEARD ABOUT home birth, I thought, my god—why would anyone want to have a baby in a manger!" This reaction of attorney Gail Roy Fraties is typical of many upon learning that there are women in this country who are taking what seems to be three steps back into an abyss of ignorance and superstition. But Fraties, as a trial lawyer, has now handled the defense of several home birth practitioners, examined the evidence, and changed his mind.

Couples seeking this alternative do so for a variety of reasons that together spell "control"—control over their birth experiences, the kind of control that cannot be guaranteed in a hospital setting, where even obstetricians who reject medical intervention in normal childbirth are often subjected to censure from hospital boards. Home birth proponents view childbirth not as a sickness, nor as a pathological condition, but as a natural process in which the rule is, the less intervention the better. They want to avoid certain hospital procedures—"prepping," I-Vs, "nothing by mouth" orders, and the use of medication to relieve pain. They want to choose who is to be present—husband, friends, other family members; to move about during labor; to be unrestricted during delivery; and to be able to choose the most comfortable position for giving birth. (This may mean being on one's hands and knees or standing, in contrast to the customary hospital position, in which a woman lies flat on her back with her legs up in stirrups.)

Above all, these women believe it best to deliver at their own (or rather, the baby's) time and not to have labor induced or augmented by drugs or mechanical means. The possibility of a Caesarian section (C-section) is a major concern, and with the C-section rate skyrocketing, it's easy to understand why. It was 5.5 percent in 1970; now it's averaging 20 percent nationwide and rising every year.

"I didn't see why we should pay a lot of money to have them do a lot of things to me that I didn't want them to do," is how a Los Angeles attorney sums up the reasons for her choice. She succinctly expresses the attitude of countless other women.

What type of parents are choosing alternative births? Those interviewed by anthropologist Lester Hazell in a 1975 study (nearly 300 couples in the San Francisco Bay area) were white, middle-class, and often college-educated. They were homeowners and had one or two cars, and the husband was employed in any one of a dozen occupations from law and teaching to farming and truck driving.

Home birth is not just a white, middle-class phenomenon, however. It is also coming to be chosen by middle-class blacks, for example. In Los Angeles, two black, certified nurse midwives have established practices to meet this demand.

There is also evidence that if the market were opened up, the demand for this kind of service would be startling. In an article published in 1971, Ellen Steckert, professor of folklore at Northwestern University, reported on her investigation of attitudes toward childbirth, doctors, and medical care in general among poor Appalachian white women who had moved to Detroit. Their responses were very similar to those so often evident among wealthier women: a belief that childbirth is a "natural process" and not a disease, a concern about intervention by doctors, a fear of surgery, etc. "The women interviewed," reported Steckert, "often expressed a desire to have their children at home, and probably would have, had it not been for the fact that the doctors they contacted refused to make home calls and that without a doctor attending, birth certificates became a legal problem."

IT'S ALWAYS THERE—THE possibility that the rate of nonhospital births, currently at 2 percent, might become 5 percent, then 10 percent—and then what would happen? The medical profession predicts disaster, a return to the days of high infant and maternal mortality. In 1900, when nearly all babies were born at home, the maternal mortality rate was 60 deaths per 10,000 live births. Today it is less than 3/10,000. The neonatal mortality rate (NMR—from birth through one week of age) is approximately 12.5/1,000.

There are several reasons for the rapid decline in birth mortality, however, that have nothing to do with hospitalization. One is the enormous improvement in nutrition, another improved sanitation and greater attention to personal hygiene. We're simply better fed and cleaner than folks were 80, or even 50, years ago, and that's reflected in our mortality statistics. Another factor was the discovery of sulfa drugs (1936) and penicillin (1940), which brought the problem of infection, which was far more prevalent in hospitals than in home settings, under some kind of control.

The fact is that there have been a number of studies, sponsored by different health departments and other government agencies, that have evaluated the performance of midwives and compared their outcomes with those of physicians or hospitals. In virtually every study back to 1895, midwives were found to have results equal or superior to physicians' and hospitals'. This is especially surprising as the mothers whom midwives attended were often poor and thus undernourished and ill.

On January 4, 1978, the American College of Obstetricians and Gynecologists issued a press release claiming that data from eleven state health departments for the years 1974-76 show that "out-of-hospital births pose a 2 to 5 times greater risk to a baby's life than hospital births." But a press release is not a study—the raw data have never been released. Critics were quick to notice that the non-hospital births included not only those carefully planned and attended but unattended births, late spontaneous miscarriages, births in taxi cabs on the way to the hospital, etc.

Precisely these factors were taken into account in a more thorough analysis of some of the data prepared by Claude A. Burnett III, M.D., of the Center for Disease Control in Atlanta, and colleagues from the center and other institutions. Their findings appeared in the *Journal of the American Medical Association* (Dec. 19, 1980).

Dr. Burnett and his colleagues had compiled the statistics from North Carolina for the ACOG press release. But they didn't stop there. They dug beneath the surface data, examining all the nonhospital births that had occurred in that state from 1974 through 1976. There were 1,296. The neonatal mortal-

ity rate (NMR), at 30 deaths per 1,000, was two and one-half times the hospital NMR of 12/1,000.

When Burnett and his colleagues classified the out-of-hospital (OOH) births according to planning status and attendant present, however, "a different picture emerged." The NMR among *planned* OOHs dropped to 6/1,000, while for *unplanned* OOHs it jumped to 120/1,000.

And that's not all. There were really two subdivisions of planned OOHs—those attended and those deliberately unattended by a physician or midwife. Of the few grannies still practicing. Minnie Mae Farr, a woman with 20 years' experience and an excellent record, received one that began: "Dear Ms. Farr: The time honored profession of 'permitted' midwifery has ended and will become illegal on January 1, 1979 if a fee is accepted for services." She was advised that if she continued her life's work after that date she would face "problems of a legal nature."

The action by the North Carolina legislature and of the Arkansas Board of Health are part of a larger effort being upon. One of the more-publicized attempts to solve "the midwife/home birth problem" in this way took place in the small agricultural community of Madera, California. Many of the residents are from Mexico, having come to work in the fields. On November 28, 1979, three young women of evident Mexican background brought a newborn baby boy to the emergency room of the local hospital. They said he had been born about 10 minutes earlier. The parents, Graciella and Eugenio Villa, were undocumented aliens who lived in Fresno, 20 miles

"Some sincere nurse midwives who believe in maternity homes don't seem to realize that any out-of-hospital delivery is seized on by the nihilists who want no prenatal care, no health care professionals, and no registration of birth."

WARREN H. PEARSE, M.D., 1977

the 100 births in this latter category, there were three baby deaths (NMR—30/1,000). There were 768 births attended by lay midwives, with three baby deaths. The authors of the study found that all three were attributable to congenital anomalies incompatible with life. Even counting these deaths, the NMR for births attended by lay midwives was 4/1,000—or *one-third of the hospital NMR of 12/1,000.*

These lay midwives are "grannies." They are licensed and work mainly with poor, black women—women who are, the authors of the report noted, demographically defined as high-risk. No licenses have been issued since 1964, and only a few grannies are left. In view of these statistics, however, it would seem worthwhile to follow the suggestion of the authors and not be too quick to phase out midwifery.

The doctors in North Carolina didn't see it that way. Shortly after this article appeared, a bill was introduced into the state legislature—An Act to Abolish the Practice of Lay Midwifery. It didn't pass, but only because of the lobbying of home birth proponents. However, a substitute bill, for the study and regulation of midwifery in North Carolina, did get approved.

A few years earlier the Arkansas State Board of Health had decided to make midwifery illegal. Letters were sent to carried out in southern states to eliminate "pockets" of midwifery by grannies. Granny midwifery was an effective, low-cost system of providing a health service. The midwives had received basic instruction and were registered with the state. A woman wanting to be attended by a granny had to have a card signed by a local doctor certifying that she was in good health and could deliver at home. Since these women had little money, doctors were willing to let midwives have that tiny corner of the market. Then, during the 1960s and even more during the '70s, large sums of federal money became available for health care and the construction of huge medical centers. It then made sense to try and pull every woman they could through the doors of the hospitals to justify their existence and expense. As the letter to Ms. Farr in Arkansas exclaimed, "The future, which is not too distant, will bring modern protective obstetrical services within easy reach of *all* our state's citizens."

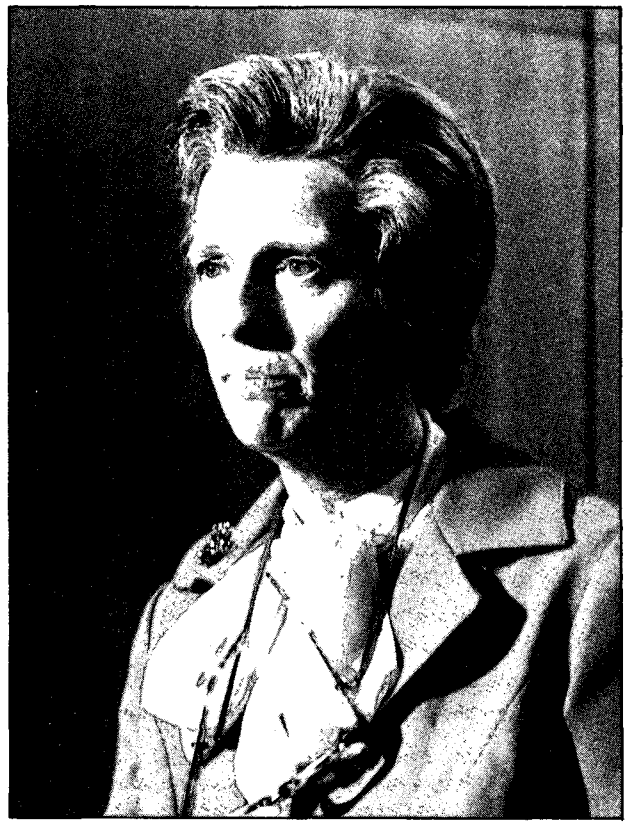
WHERE IT IS LEGAL FOR LAY midwives to attend home births, lay midwifery is being "phased out." Where couples who want a home birth have little choice but to turn to unlicensed lay midwives, occasions to haul the midwives into court are seized south. It was their first child.

Although he appeared dead, a nurse attempted mouth-to-mouth resuscitation, and an electrocardiogram (ECG) picked up a heartbeat. Adrenalin and sodium bicarbonate were administered intravenously, and the heartbeat became strong and regular. Suddenly the ECG indicated critical distress, then nothing. Twelve minutes later he was pronounced dead.

It was learned this had been a planned home birth and that the birth attendant was Rosalie Tarpening, a licensed physical therapist who lived on the outskirts of Madera. Her home was adjacent to the office and examination rooms she shared with her husband, Donald Tarpening, a chiropractor. The doctors at the hospital knew of Mrs. Tarpening. She had delivered 350 babies over the preceding eight years.

Two days later a 15-man SWAT team surrounded their property, entered the house, and took Mrs. Tarpening away for questioning. Then they tore apart the house, her office, and her husband's office, looking for drugs and other "evidence." No illegal substances were found. She was charged with grand theft, practicing medicine without a license, and first-degree murder.

Rosalie Tarpening was not the first midwife in California to face a murder charge. A year earlier, Marianne Doshi



Sarah Foster

Midwife Rosalie Tarpening (right), judged guilty of second-degree murder in a jury trial, despite the testimony of well-known pathologist Dr. Edith Louise Potter (below) that the hospital had caused the baby's death.

Sarah Foster

had been arrested after a baby she delivered had died in a hospital where it had been taken due to complications during birth. The basic charge was practicing medicine without a license—"bumped" to a felony (second-degree murder) because a death had occurred. At a pretrial hearing the judge threw the case out, declaring that in his opinion, parents have a constitutional right to have their babies at home.

Mrs. Tarpening was not so fortunate. There was a lengthy preliminary hearing, then, in August 1981, a three-week jury trial. Her trial attorney, Gail Roy Fraties, managed to have all the charges dismissed except one: "practicing medicine without a license in such a way as to endanger mother and child." In his client's defense on that charge, Fraties contended that, according to the California statute governing physical therapy, she was permitted to treat "a physical condition" and so was practicing within the limits of her license.

One of the expert witnesses at the trial (and the only defense witness called during the pretrial hearing) was Edith Louise Potter, M.D.—a world-renowned pathologist and authority in the field of infant and fetal death. Her textbooks are the standard reference works on that subject. Her testimony, based on the autopsy report, was directed toward establishing the cause of death.

When Potter took the stand during the pretrial hearing, she made it known that the emergency room doctor had ordered that oxygen be administered through a flexible tube inserted down the baby's windpipe. Although the attending physician and the coroner claimed that the baby died from lack of oxygen, "There's no doubt in my mind that the cause of death was air put into the baby's trachea at too great a pressure," Dr. Potter told the jury during the trial. *"That baby had its lungs blown out!"*

"Did Mrs. Tarpening do anything, in your opinion, that would endanger the mother or child?" asked Fraties.

"Absolutely nothing." Then she thought a minute. "Yes, she did one thing wrong. She sent the baby to the hospital. She should have left it with its mother. It would be alive today."

Fraties built an excellent defense and presented a moving summation. Yet when the jury returned after several days of deliberation, Mrs. Tarpening was found guilty.

I wanted to know how they had arrived at such a verdict and phoned some of the jurors. "Let me tell you," said one man. "If she had been facing a homicide charge, she'd be completely free today. It was the hospital that killed the baby." I asked if he favored an investigation of the hospital—which had been suggested following the hearing. "*Absolutely.* There's no question the doctors killed the baby—and then they turned the light on Rosalie."

"But if that's so, why did you find her guilty?" I asked.

"Well, she shouldn't have been using an instrument to examine the mother. That was dangerous."

"An instrument?"

"Yeah—one of those things doctors use in examinations."

It turned out that in one of the photos taken by police during their search was a speculum, a device used in gynecological exams but *not* during labor. It was from a kit of obstetrical and gynecological instruments that Dr. Tarpening had ac-

quired during his training as a chiropractor 35 years earlier. Neither he nor Mrs. Tarpening ever used it in their work, and he had forgotten about it until it was dumped out of a storage drawer.

Calls to several other jurors confirmed what the first had said. Although neither prosecution nor defense had referred to it, the jury assumed the speculum had been used during the delivery and constituted "endangering mother and child."

Evidently, Judge Clifford Plumley did not approve of the verdict. He sentenced Mrs. Tarpening to a year in jail, then suspended the sentence. The prosecuting attorney was furious and claimed that "the people" had been robbed.

The reasons for Graciella Villa's choice of birth attendant are obscured by the sensational aspects of the case, but they deserve mention. Mrs. Villa specifically wanted a woman to deliver her baby and did not want to go to the hospital, as she had heard "stories" about hospitals. From friends she learned of Mrs. Tarpening, a woman willing to help other women have their babies. Mrs. Tarpening's profession was physical therapy and nutritional counseling, and although she had delivered 350 babies, midwifery was a small part of her practice. She was responding to a demand in the community—one which doctors ignored. Rather than meet the demand, the doctors used the courts.

IT IS NOT ONLY LAY MIDWIVES like Rosalie Tarpening, and Linda Bennett of the Santa Cruz Birth Center, who face the fury of the medical establishment. Certified nurse midwives (CNMs) are having their own problems, even though *these* midwives are part of "the establishment." CNMs are registered nurses who have completed a program in midwifery at a recognized institution and are certified by the American College of Nurse Midwives (ACNM). Their training is intended to prepare them for handling uncomplicated births, working "under the direction of" an obstetrician-gynecologist. At least that's the position of the American College of Obstetricians and Gynecologists (ACOG), to which ACNM agreed in a joint policy statement in 1975. Some hospitals have interpreted "direction" as meaning an ob-gyn must be in the room with the CNM during a delivery, although ACOG literature says this is not required.

There are some 2,500 CNMs in the United States, with approximately 220 graduating each year. They try to find work in hospitals, but very few will hire them; or they may work for doctors who have birth centers. Some open their own birth centers, in cooperation with sympathetic physicians who provide hospital back-up in case of complications. There are about 100 birth centers in 28 states, staffed by 200 or so CNMs. Some are free-standing centers (not in or attached to a hospital) where women can go to have their babies; some offer home birth services; and some are in hospitals. All this is legal.

But CNMs have met resistance from physicians, hospitals, and government officials in at least 12 states and the District of Columbia, according to Sally Tom, CNM, a spokesperson for ACNM. When nurse midwifery and out-of-hospital births come together, the resistance can be particularly virulent, as illustrated in the case of the Maternity Center Association of New York City.

For 60 years the MCA has been involved in maternity care in that city, especially among immigrant women. In 1917 it established a program for prenatal care and maternal education and in 1931 founded the first school of midwifery in the United States. For the next 20 years the MCA provided a midwifery service for women in low-income neighborhoods, which was phased out in the 1950s during the great push for hospital delivery.

In 1973 MCA began developing another new, equally innovative program under the leadership of Ruth Lubic, CNM: the Childbirth Center (CbC), an out-of-hospital maternity center for low-risk patients, with the aim of "attracting back to the system families engaged in do-it-yourself home birth." The center was the first of its kind in the country. Set up in a former townhouse, it offers a complete maternity service, including prenatal care, childbirth preparation classes, accommodation for labor and delivery, and nearby hospital back-up. By August 1981, nearly 1,000 births had taken place there, at a cost of about half the hospital fee.

In testimony before a congressional subcommittee, in December 1980, Lubic described the difficulties encountered as they tried to get the CbC under way: opposition from ACOG, the state and national American Academy of Pediatrics, the New York State Medical Society, the chairmen of obstetrics and gynecology at six of New York City's seven medical schools; trying to prevent commercial and medicaid reimbursement; interfering with hospital back-up; discrediting the CbC with nurses, foundations, and health insurers; attempting to have its license revoked; harassing families who consulted individual obstetricians; and "falsely alleging maternal, fetal, and neonatal mortality." The city's Health Department made "unwarranted demands for data" and at one point threatened to have the police barricade the MCA's doors.

C. Arden Miller, M.D., who worked with Dr. Burnett compiling data for the study on out-of-hospital births in North Carolina, described the situation as he saw it to a group of professionals:

The splenetic passion which the medical establishment, and particularly the obstetric community of New York City, attaches to the risks of the Maternity Association's Childbearing Center is spectacular to behold. Efforts to force closure of the center, depriving it of consultation and back-up supportive service, have been thwarted only by the most heroic perseverance by Ms. Lubic and her Board of Directors. Why does this molehill of a demonstration project attract all the lightning deserving of an Olympus?

But there were people in high places on the MCA's side, some even in the Health Department and on hospital staffs. They supported the center and guided it through the bureaucratic and professional quagmire. And last year the MCA was awarded a grant of nearly $256,000 from the John Hartford Foundation of New York City, and its plans are to promote "wider public understanding of the birth center concept."

OF ALL THE ORGANIZED opposition to the home birth movement, probably the most dangerous is legal action against the Association for Childbirth at Home, International (ACHI). It strikes at the life-line of the movement—teaching about childbirth and dissemination of information—and raises the constitutional issues of free speech, free assembly, and the right to be secure against unreasonable search and seizure.

ACHI, a grassroots teaching organization, was founded in 1972 by Tonya Brooks, herself a home birth mother and lay midwife, in response to parents' demand for more information on the birth process than is available in childbirth education classes. For couples in areas where there are no free-standing birth centers, lay midwives, or doctors or CNMs willing to do home births, the only alternative to going into a hospital is to stay home and have an unattended birth,

which as the North Carolina statistics show, can be risky. ACHI does not approve of unattended births per se but attempts to narrow the margin of risk by providing couples with what Brooks describes as "essential and accurate technical obstetrics." It is the largest *home* childbirth education organization in the world; 40,000 couples have taken the basic eight-week course.

ACHI's greatest strength is in the Midwest, so perhaps it was not purely coincidental that their troubles began in southern Illinois. In early May 1978, ACHI instructor Cathryn Feral, who was living in the small community of Harrisburg, gave a brief talk on a local public TV channel—telling about the organization and announcing she'd be available for classes. She describes her talk as "real conservative," but that's not how two Harrisburg obstetricians perceived it, and they requested an investigation.

In October Feral received two subpoenas, for herself and ACHI, ordering her to appear within 10 days in Springfield, the state capital, "to testify...in regard to matters relating to your business transactions with consumers of Illinois since September, 1976, concerning ACHI's series of childbirth classes in violation of the Illinois Consumer Fraud and Deceptive Practices Act."

She was instructed to bring 71 pieces of information, including the names, addresses, and phone numbers of all parents anywhere who had taken the course; a complete list of doctors, CNMs, midwives, and others who were helping ACHI; a list of all ACHI instructors; information regarding insurance; information about compensation for assisting at a birth; and on and on. There was even a request for Feral's driver's license number.

In a letter to the editor of the *Illinois Times* in February 1979, Richard Cosby, first assistant attorney general, tried to assure readers "that we are treating this case with the same approach as the 27,000 others that move through our office each year." But in a phone interview, Wayne Wiemerslage, the original investigator for the Department of Consumer Affairs, admitted that the list of 71 items was "a little longer than usual." But, he explained, "This is a very important case." When pressed, he further admitted that the number of items ordinarily requested in an investigation is 15, *or at most 25 or 30.*

There was a strong likelihood that turning over everything demanded would result in punitive measures against supportive doctors and other professionals and the harassment of many parents. Brooks and Feral decided to fight and began a long journey through the courts. ACHI won at both the trial and the appellate level. The Appellate Court ruled that under *Alabama* vs. *NAACP* (1958), no organization can be forced to turn over its membership and furthermore that the Illinois Consumer Fraud and Deceptive Practices Act was not intended to include educational organizations in its scope. The Illinois Attorney General's Office appealed.

In May 1981 the case was heard by the Illinois Supreme Court. ACHI's attorney, Mary Lee Leahy, argued that "the defendants are engaged in activities protected by the First Amendment: teaching and advertising regarding that teaching." Enforcement, she noted, would have a "chilling effect on free speech."

Following the formal presentations, one of the judges asked Joseph Keenan, counsel for the Attorney General's Office, if he had any public relations material from ACHI to include as evidence to justify the investigation. He hadn't—not one brochure or pamphlet. "It seems to me," the judge remarked, "that you're on a fishing expedition."

"No, your Honor," Keenan protested. "We're not just fishing."

"Well, what are these people supposed to have done? Have they requested money be sent in? Have they made any special claims?"

"No, your Honor, but this is an organization which deals with matters of health. They're teaching about childbirth, and in matters of health and childbirth the state has a compelling interest."

This line of reasoning prevailed. In November the court handed down a verdict. ACHI had lost badly. Concerns about a possible "chilling effect" on the exercise of free speech were tossed into the judicial waste basket: "...the State does not lose its power to regulate commercial activity deemed harmful to the public whenever speech is a component of that activity."

But no "harmful speech" had even been entered as evidence, so the court drew upon the case of *United States* v. *Morton Salt* (1949) for jurisdiction of any and all investigation by government agencies:

> *The only proper power that is involved here is the power to get information from those who best can give it and who are most interested in not doing so.... Even if one were to regard the request for information in this case as caused by nothing more than official curiosity, nevertheless law-enforcing agencies have a legitimate right to satisfy themselves that corporate behavior is consistent with the law and the public interest.*

This decision should be very sobering to anyone who believes in the Bill of Rights and assumes that the principles embodied in it are somehow inviolate.

Although ACHI would like to carry the case to the US Supreme Court, the cost is prohibitive. Also, as with the litigation involving the Santa Cruz midwives, there's a danger that if they lost at the federal level, every childbirth education organization in the country would be af-

"Obstetrics has become almost totally consumer dominated.... we must reassert our control over the patient and insist that we exclusively make the decisions relative to patient care, putting an end to the non-physician interference in this process."
MARSH STEWARD, JR., M.D., 1981

fected. They may be anyway. In May, ACHI was notified that the Illinois Department of Consumer Affairs would be filing an injunction prohibiting their advertising or teaching in Illinois. Tonya Brooks fears that consumer affairs departments in other states may follow suit. It's already rather chilling.

THERE'S A TENDENCY FOR observers of the medical profession to explain the actions of its members as motivated essentially by a desire for great financial remuneration. The reason, therefore, that obstetricians are behaving as they are toward midwives is to keep them off their professional turf—which is a very bright green. Obstetrics is a high-earning medical specialty.

But the matter is not simply reducible to economic concerns. If money were the only consideration, why don't more sharp ob-gyns open birth centers and go directly after the market? Some do—but they face a lot of peer pressure. Also, the opposition to home birth is not limited to doctors. Law enforcement officials and others in government are part of it. What inspires investigators to set traps to catch midwives? What motivated Terry Johnson, a clerk in the California bureaucracy, to use her body, and her baby's body, against other women who had done her no harm? It's not enough to say, "Doctors have power." The question then is, "How did they get that power—who gave it to them?"

We live in a society where attainment of physical and mental well-being has replaced spiritual salvation as the dominant cultural value. A significant number of people accord it an importance above wealth, love, justice, or liberty, and they expect government to secure to them its blessings.

But that's not all. Although there is a common shared interest in health and well-being, there are differences of opinion about how these can best be attained. Current medical practices and theories are of two sorts—"orthodox" and "unorthodox." Orthodox medicine is merely the winner that emerged from a long struggle between several schools of medicine that flourished and competed with each other during the 19th and early 20th centuries. It was then called "allopathy": "a system of medical practice which combats disease by the use of remedies producing effects different from those produced by the disease itself" (*Webster's Collegiate Dictionary*, 1951). Then as now, drugs and surgery were the chief means by which allopathic physicians combatted disease and tried to alleviate suffering. They relied heavily on "the heroics" (bleeding, purging, and induced vomiting).

It was the allopaths (also called "the regulars") who fought for government licensing and the regulation of medicine. They were eventually successful. By means of political maneuvering, and with financial assistance from Andrew Carnegie and John D. Rockefeller, they established a monopoly over health care in this country and made the word *allopathic* synonomous with *medicine.*

What today is called "unorthodox" medicine is based on an entirely different approach: stimulating and helping the body to strengthen and utilize its own resources, innate healing powers, and immune systems. Great emphasis is placed on nutrition and the taking of supplemental nutrients. Unorthodox practitioners, even those who are M.D.s, often claim they aren't practicing medicine at all—meaning they don't rely on drugs and surgery—but are simply helping the body regain or maintain a normal state of health.

The home birth movement is an outgrowth of the natural childbirth movement of the late 1950s and 1960s. Both are part of the broader movement in unorthodox medicine. The debate between the medical establishment and the home birth advocates is one of competing ideologies. In every argument, whether in a doctor's office or before a legislative committee, the rhetoric on both sides reflects and expresses these fundamentally opposing points of view about the nature of health and disease, the capabilities of the human body, and the role of the health care practitioner.

Doctors *believe* that hospitals are the safest place to have a baby; that's why they can ignore study after study to the contrary. They "know" the studies are "inconclusive." That is why the California Medical Association is now impelled to collect data against home birth and midwives; it is necessary to "prove" these a danger, thereby justifying the opposition to them. That is why the medical profession dismisses as "anecdotal" all reports and accounts by parents, and even by physicians, extolling the benefits of home delivery.

That is why doctors could look at the autopsy report in the Rosalie Tarpening case and not see that it was their bungling that killed a baby. And when Dr. Potter held it before their faces, they sought some other explanation, as though to say, "We *know* hospitals don't kill babies—we *know* home birth does."

And that is why Dr. Potter's testimony was so devastating. It was the testimony of a person who could step out of the belief system that she shares with the doctors, look at the evidence, and say, as she did: "I don't believe in home birth, but *I know* midwives don't kill babies. In this case the hospital was to blame."

There is something more powerful than money that motivates men and women: a conviction that they are right and that they're doing the right thing. Not only are doctors convinced they are right; they have convinced many others that they are. Policemen, government agents, district attorneys—as upholders of the social order in the "therapeutic state," they follow doctors' orders. When they go "red lights and sirens" all over town to arrest a midwife, they look on this as part of their responsibility to "the public." When they launch an investigation into an organization that is teaching about childbirth, they don't see it as trampling on the Bill of Rights. They're stamping out heresy. *They consider it their duty.*

It is impossible to predict the outcome of the struggle. The fundamental issue is not whether home is a "better" place to have a baby or whether a midwife can do a "better" job than a doctor or whether unorthodox medicine has more demonstrable validity than orthodox as a way of dealing with sickness and pain. As expressed by Dr. Edith Potter to an audience of home birth supporters following the preliminary hearing in the Rosalie Tarpening case:

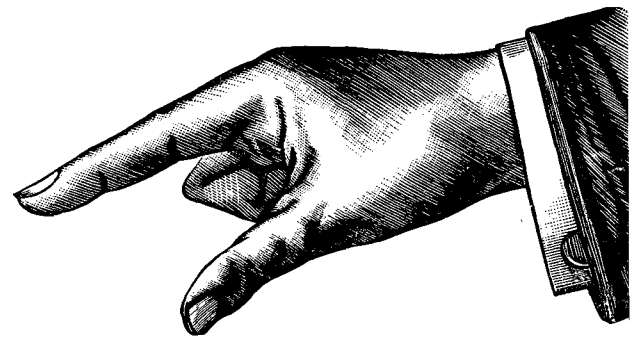
> *I think that your feeling about home delivery is determined in part by your general outlook on life—your general philosophy. How paternalistic do you think the government ought to be? How much pressure should the government put on us to do what* it *wants us to do?. . . If you think we ought to have a free choice in our lives. . . we have to decide as we do in a presidential election. . . . I think this is a matter of free choice, and* nobody *ought to tell us what we're going to do.*

To the question, How did doctors get power? Who gave it to them? the answer is: *We did, and we're still giving it to them.* Until many more people decide that liberty is the primary value, that it is more important than health or anything else, the situation for the midwives, the home birth doctors, the home birth parents—or the rest of us—is not really going to change. ◻

Sarah Foster is a free-lance writer. This article is a project of the Reason Foundation Investigative Journalism Fund.

RENT CONTROL:

Blame the Conservatives



BY TIBOR R. MACHAN

RENT CONTROL and environmental controversies across America raise fundamental questions about the status of property rights in our legal system. Any serious threat to the right to private property jeopardizes the free flow of commerce, science, the arts, information, and entertainment. Property rights are basic to a free society. Unless persons are free to do what they see fit with valued items, any freedom is merely nominal and can have no practical import.

Until the early part of the 20th century, the US legal system embodied considerable respect for each individual's (or voluntary group's) right to private property. Generally, the laws protected a person's sole and full authority over whatever had been honestly produced, earned, or otherwise obtained. The Fifth Amendment to the Constitution did allow for a very compelling public purpose to override property rights, but with the provision for "just compensation."

Of course, property rights had been mentioned in defense of such fundamentally unjust institutions as slavery, but this was a sorry example of putting good ideas to corrupt use. *Persons* can be owners but never owned. Apart from such absurd tendencies, the institution of private property enjoyed more than 80 years of fairly strict legal recognition. By now, however, only adherents to the libertarian political philosophy remain consistent, principled defenders of the basic human right to private property—other political groups have virtually abandoned the idea completely.

Many believe, mistakenly, that the decay of private property rights can be traced to the political left—to the writings and political activism of socialists, communists, anarchists, and populists. And indeed, in most of the controversies brewing over rent control in America—from Santa Monica, California, to Cambridge, Massachusetts—it is those on the political left who express only disdain toward the idea of private property rights. They consider the principle of private ownership of valued items merely an excuse, at least in this case, for unconscionable and injurious greed on the part of apartment owners and developers. The California-based Campaign for Economic Democracy, led by Tom Hayden and his "humanist" socialist allies, has been in the forefront of the attack on private property, with various environmental groups very close behind.

So it is evident enough that the agenda of the political left, from hard-line Marxist-Leninists to soft new leftists, calls for the abolition of the *principle* of private property rights, however much they may be willing to accept private property in certain instances on pragmatic grounds. Central planning or some kind of vague democratic mechanism is advocated by the left as a substitute for the authority of individuals or groups in a free society to decide what happens to goods from cars to musical arrangements and poems.

YET IN THE UNITED STATES it was *conservative* forces and objectives that led to the destruction of the legal protection of private property rights. The main assault came initially by way of our courts' increasing reliance on English common law, which embraced the quintessentially feudal idea of the *police power*: the state's (originally, the absolute monarch's) supreme authority and duty to guard the welfare, morals, and health of the realm (and subjects) over which it had jurisdiction. In the middle of the 19th century this essentially royalist, antidemocratic idea was invoked by conservative political forces to, for example, thwart the power of organized workers. Subsequently, such collectivist violations of property rights as zoning laws, architectural codes, censorship ordinances, blue laws, racial covenants, and similar measures were promulgated, not by the political left, but by conservative elements throughout American society. It is from this tradition that the idea of "state's rights" and "community control" derive.

Contrary, then, to widespread belief, American conservatives are not principled believers in free enterprise and private property rights. Even in our time, there is ample evidence for this point. It was a conservative Supreme Court that ruled in favor of local censorship of movies a few years ago—clearly overriding the individual theater owner's private property rights to do with and in his theater what he sees fit, regardless of public opinion.

One of the more blatant examples of conservative confusions emerged during the early 1960s in California. John Schmitz, now a state senator, campaigned in Orange County with a copy of the renowned economist Ludwig von Mises's book *Human Action*—which advocates a totally free market—at the same time as he was urging the California state legislature to prohibit topless dancing in nightclubs. Schmitz was also one of the fiercest opponents of antidiscrimination laws in the sale of real

(Continued on p. 46)

The Philosocrats Are Coming! The Philosocrats Are Coming!

A new generation of philosopher-bureaucrats is being trained to think up new rationales for government meddling

By John O. Nelson

The general public is not aware that a new order of bureaucrats is at this moment being pieced together in the Frankensteinian laboratories of academe and government. And if it is, it is surely not aware that this new order is even more voracious of individual rights, more intrusive into private affairs, more resistant to counterattack, than even the giant, many-tentacled monster that was spawned in the '60s and '70s out of environmentalist excesses and government-induced shortages of energy. If the news media are aware, they are not saying anything.

Indeed, to go by the news media, bureaucracy would seem to be almost on the brink of extinction. The Reagan administration's stern promises to "reduce the rate of growth" of bureaucracy and even to lop off various of its parts are duly reported on television and in the newspapers—along with piteous accounts of poor would-be bureaucrats finding the job-cupboard bare and tales of horror presented by spokesmen for "threatened" programs.

Surely, one wants to say, bureaucracy's sudden, fission-like mushrooming is over. Perhaps the harassed citizenry can even expect some diminution in its gigantic size and power and appetite!

Unfortunately, I have to repeat it: a new order of bureaucracy is being gestated in multitudinous wombs. In fact, in view of its already rapid embryonic growth, its imminent emergence into the actual world—that is, its being baptized with some sort of governmental acronym and given cabinet rank—is quite predictable. Prenatal sounds are already detectable.

These apocalyptic utterances are sure to be met with cold stares and skepticism. Let me, therefore, now clothe them in hard, clear-cut evidence. Since this evidence rests on personal contact and observations, I shall present it just as it chronologically revealed itself.

The first inkling that I myself was given of our monster's embryonic existence was three summers ago. I was playing golf by myself and happened to pick up a partner who was also by himself. In the usual way we introduced ourselves and, between lungings at the ball, talked of one thing and another. I forget the gentleman's name.
I do remember, however, that he

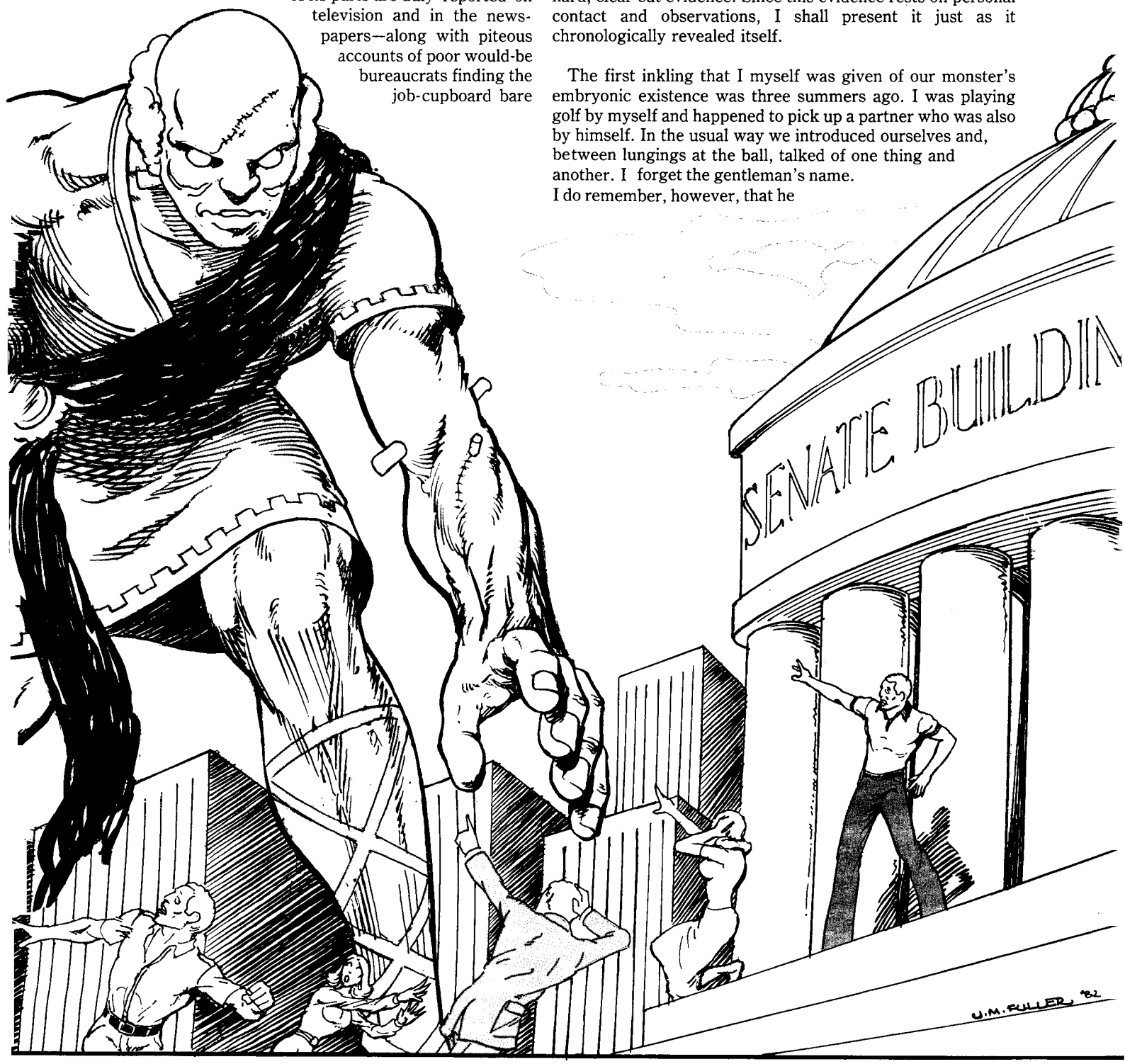


Illustration by John Fuller

was in his early '30s and had not too many years before graduated from some university with a master's degree in philosophy. Since then, he had been working in a branch of the bureaucracy regulating land use.

When he indicated that his philosophical training had come in very handy in his work I was, as a university teacher of philosophy, curious. I had never heard of any call for philosophy or philosophical training on the part of bureaucracies or bureaucrats. I could not imagine philosophy's having any application to bureaucracy, unless it were to level some sort of destructive attack upon the institution, or the latter having any interest in philosophy, unless it were to quash it underfoot. What I mean is: philosophy almost by definition is free and unrestricted thought and argumentation. The bureaucratic mode, by definition, is a proceduralized, routinized method of handling huge masses of "information bits," "inquiry bits," "decision bits," and so on, with the aim of eliminating the very need for original or even independent thought. "Just how," I asked, trying to mask my skepticism, "do you apply philosophy in your bureau or whatever it is of land use?"

! ! !

My golfing partner explained that he had taken a couple of courses in ethics and that what he was doing was applying value theory to the decisions and policies generated by the administrators of the office of land use to which he was attached. As he elaborated: having promulgated various broad decisions and policies, these gentry had been made aware that they had unwittingly involved themselves in certain questions of value and ethics. Having had some courses in ethics and value theory, he had been selected and assigned by his superiors to review their pronouncements, decisions, and directives and to patch up their ethical gaps and loose ends. I gathered from my new-found acquaintance's further comments that he was devoting his full time to just that labor of Platonic love and making a great success of it.

I do not believe that, as I listened to my informant, I more than very dimly perceived the momentous implications of his confidences. If I had, I should have shuddered a lot more than I did.

Not very long after, I was "awakened from my dogmatic slumbers." Several of my academic colleagues let it be known that they meant to propose the establishment and funding of a new branch of the philosophy department. This new branch was to devote itself to—lo and behold!—the study and application of philosophical ethics and value theory to governmental policy and decisionmaking and their offspring in business, medicine, and elsewhere.

One could detect an immediate, almost electric, interest. Although I heard no one, including the prime movers of the proposal, mention the job possibilities that such a venture opened up for both graduate students and faculty in philosophy, everyone certainly had to be aware of those possibilities.

Other disciplines—economics and sociology, for instance—had long straddled academe and government and in the rich pastures of the latter had fed their hungry flocks of new-born Ph.D.s and M.A.s, as well as the "doctor-fathers" themselves. To judge from myself, the philosophic fraternity had gazed with envious eye on the yearly migrations of these scientifico-humanisticos from academe to government. No one had to be told that the newly proposed venture at last provided philosophers a passport to the same rich pastures.

On the other hand, it had to be plain to anyone who cared to think about it that this proposal contemplated the prostitution of philosophy and philosophers. Bureaucracy could not and would not tolerate divisions of opinion in its operatives' utterances, for these had to have the look of single-minded law or science. But, while one philosopher might give an unequivocal answer to a question of value theory or philosophical ethics, two were sure to disagree.

Would this not mean that philosophers in government would have to pretend to agree when they did not? Would there not have to be a boss-philosopher to whom all subordinate philosophers would have to defer in their philosophical utterances, and would not the boss-philosopher himself have to defer to the ambitions of government and bureaucracy? Could the boss-philosopher, for instance, so interpret the nature of value as to convey away from government some decisionmaking authority that it had gathered to itself? Would his superiors in the bureaucracy tolerate any such attack upon their prerogatives and power? Obviously, they would not. Hence, up and down the line, would not governmental philosophers, as a matter of self-preservation, prostitute themselves and philosophy?

I could see no other termination of the proposal, and I so let it be known. I also pointed out that what was being advocated was absolutely calculated to increase and expand the size and power of bureaucracy. The prime movers of the proposal were not unfriendly to the theories of Karl Marx and so, presumably, were opposed to bureaucracy. Might they not have second thoughts?

Although I did some talking to this effect and although it was listened to politely enough, I might as well have been addressing a stone wall. It is not academically "nice" to divulge what goes on in departmental meetings, but it certainly can be told what was the outcome of the meeting finally devoted to the proposed venture. In a nutshell, our department declared itself as now in the business of producing philosophizing bureaucrats or bureaucratized philosophers!

! ! !

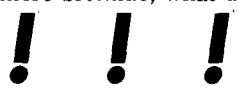
Self-styled "The Center for the Study of Values and Social Policy"—a title that ingeniously conveys the impression that mere philosophizing has somehow turned into science (one thinks of things like "The Center for the Study of Atmospheric Disturbances"), our department's new business venture shows signs of promising vigor and appetite. A "distinguished" professor of decisionmaking theory (I suppose it can be called) was hired at some expense to provide a semester's seeding-seminar in the discipline (since none of our own staff was what could be called a specialist in the field and its burgeoning jargon). A small faculty and several candidates for advanced degrees were scraped up. A rather small trickle, to be sure. It was soon clear, however, that this first trickle would very quickly become a flood. It was not long, for example, before a couple of substantial grants from the federal government's academic helpmate, the National Endowment of the Humanities, had been tendered the center. Undoubtedly, this horn of plenty for all politically agreeable projects and projectors will tender even more lavish grants in the future.

The only possible hitch is that it now looks as if a good many other departments of philosophy—a good many too many—are trying to compete for a piece of this decision-theory "action." Perhaps reflecting this concern, or perhaps merely as a display of its own "expertise," our own Center for the Study of Values and Social Policy issued a memorandum in the spring of 1981 touching on the gross, unphilosophical subject of jobs. In this memorandum, lay members of the department were told that the center "will provide philosophers with training appropriate to the current job market, both academic and non-academic...employment." Under the subheading "non-

academic employment," the authors of the memorandum spell out their whys and hows:

Our society faces critical choices in a number of areas, choices that will presuppose a variety of values. Leaders in government and industry have become increasingly aware of the need for an analytical and critical approach to value questions, as they arise in making social policy. What we have lacked in the past is the focus on policy issues and the training that would allow us to work with people with more technical backgrounds. Our programs are designed to prepare philosophers to join other policy professions in policy research groups in federal and state agencies, in business, in citizens' organizations, and in "think tanks."

There are several things in this pronouncement that merit the most careful examination. There is, for instance, the weighty, sermonizing tone in which the authors speak. "Our society faces critical choices in a number of areas," we are gravely informed, "choices that will presuppose a variety of values." Insofar as this momentously uttered pronouncement does not consist of mere bromide, what does it consist of?



In a certain metaphorical manner of speaking it can be said, I suppose, that any society is confronted with choices and that these involve a variety of values. One might say metaphorically, for example, that the American people were confronted in the middle of the 19th century with the choice of either engaging in civil war or not engaging in it. A variety of values, I suppose too, could be said to have been involved. On the face of it, though, no one needs to be told such simple truths. What, then, can the authors really mean to be telling us?

Patently, they seem to think of themselves as sounding some sort of ringing alarm. Presumably, something new has taken place that demands extraordinary, unheard-of measures. Their memorandum refers to "the need for an analytical and critical approach to value questions, as they arise in making social policy," and it promises (or threatens) to "prepare philosophers to join other policy professions." To believe these assertions, there is now something properly called "the profession of policymaking." The members of this profession, moreover, are to be responsible for the most important decisions of federal and state agencies, of business, of "think tanks," and of citizens' organizations. They need, however, in "their research groups," to be joined by philosophers.

Certainly one has never heard of these wonders before, unless in the pages of utopian treatises or science fiction. For centuries, governments and businesses and even "citizens' organizations" have functioned, sometimes even very successfully, without any thought or need of an "analytical and critical approach to value questions." They have simply pursued the various values that they have pursued. Nor in the past have governments or businesses seemed to find it necessary to hire "professional policymakers."

Are the authors of this memorandum simply hoodwinking the public in their suggestions of a new human condition demanding new and terribly expensive treatment? Or, in fact, has something new in the human condition arisen that calls, at least theoretically, for the panaceas they describe so feelingly and would like to sell the public?

However inconsistent it may appear, I think the answer to both questions is "yes." A condition has undoubtedly been brought about where, theoretically at least, there *is* needed something that could only be called "professional policymaking" or some such thing, along with, not just a philosophy of value (these are a dime a dozen), but an actual science of value.

What my confreres fail to tell the public, however, is that this condition has arisen solely as a result of the government's usurpation of individual decisionmaking in areas where only individual decisionmaking can effectively function. And what they fail to mention is that the remedies they propose—professional policymaking, a science of values, and so on—are all as bogus as the famous philosophers' stone. In fact, they are not merely bogus but, if clothed in anything like political reality, toxins of frightening virulence.

As an instance of the government's usurpation of rightful individual decisionmaking and the consequences thereof, we can do no better than to return to my golfing partner's office of land use. Still on a small and restricted scale but nonetheless on a real and growing one, government is now dictating the use of, not just public land, but private land. Need it be added: the agencies involved are pulling every political and judicial string in their grasp to totalize this newly acquired government power. By no very large stretch of the imagination we can envision their soon succeeding. Consider, then, what must eventuate when their usurpation of this area of individual decisionmaking has been completed.

We might begin by noting how the management of private lands differs from, say, the management of a police force. What the duties of a policeman are and how carried out are properly matters of fairly confined definition and homogeneous complexion. A policeman, for instance, is properly supposed to enforce the law. In addition, the action of one policeman is rather linearly locked into the action of another. One might say that their actions are simply compoundable—witness the convergence of police actions where a riot is occurring.

Now homogeneity and simple compoundability of activity lend themselves to blueprinting and thus either to scientific formulization (given certain additional factors, for example, quantifiable causal relations) or to bureaucratization and thus to governmental decisionmaking. Thus, police activity—or, more properly, the management of police activity—can fall within the compass of governmental competence.

In contrast, the uses of private land are not homogeneous, and their relations are not simply compoundable. Imagine that I own 300 acres of farmland here in Boulder County, Colorado. On this hypothetical 300 acres I can grow wheat, milo, alfalfa, vegetables (with irrigation), and so on; I can raise cattle, hogs, or sheep; I can mix these various enterprises or an indefinite number of others in all sorts of ways; I can even, as a speculation, decide to turn my land into an airfield or an amusement park, or if I have an independent income and like birds enough, I can or might turn it into a bird sanctuary. My next-door neighbor can use his land in these or many other sorts of ways. In short, the uses of private land are not only non-homogeneous; they are not open to confined definition.

Moreover, even where their uses are homogeneous, they are not simply compoundable. Two different farmers planting 300 acres of wheat each do not plant simply 600 acres of wheat. One may grow 20 bushels an acre; the other, 50. This sort of indeterminate variance resists blueprinting. Indeed, a blueprint levels out what is most important to keep socially and economically prominent—individual efficiency versus individual inefficiency—and makes prominent what is not important in the dynamics of production: an "over-all" or lump sum.

Even taken in isolation—as just this 300 acres—my land's uses are not blueprintable with respect to productive results. I may decide: "200 acres of milo." Whether there will *be* 200 acres of milo, however, will depend on many indeterminate factors: weather, insects, breakdowns or absence of breakdowns of machinery, and so on.

Now if all that is demanded is *my* deciding how to use these 300 acres and taking the consequences, good or bad, I and

anyone else can certainly do that. And I or he can do so with greater or less competence and success, depending on luck, experience, shrewdness, common sense, and skill—period. At the level of individual, proprietary decisionmaking, deciding what to do with land is within a normal person's competence. Thus, individual, proprietary decisionmaking is functional in determining land use, and its degree of competence rests on such nonquantifiable, nonblueprintable, and hence nonscientific bases as luck, skill, experience, shrewdness, and imagination.

If, though, one is deciding on the use of private land from a governmental dais, one cannot simply decide individual cases in isolation, as proprietors can and do. There are, first of all, myriad cases to be simultaneously decided: is Tom's land to be used for wheat, Dick's for raising hogs, Harry's for hybrid corn experiment, and so on.

Furthermore, there must be some over-all structure of "fairness" given these decisions. The government decisionmaker is not supposed, for example, to enrich Tom at the expense of Dick.

Finally, the decision's effects have to be related to such indeterminable and opaque ends as "the common good," "the maximization of economic well-being," and so on. Yet the effects are themselves impossible to determine, due to the vagaries of weather, human response (Dick thinks my decision *was* made to enrich Tom and he therefore drags his plow), and innumerable other opaque factors. Say that I have to decide how, in just Boulder County alone, all private farm land is to be used for "the common good." On the face of it, mere experience, shrewdness, common sense, will not help me or anyone else in obtaining a "right" answer.

Thus, if I were one of the authors of our departmental memorandum I could truthfully say, insofar as government decisionmaking has replaced individual, proprietary decisionmaking with respect to the use of land, "We need to have what we have never had before: professional decisionmakers who base their decisionmaking on science." That would indeed *be* our need.

For reasons already gone into, however, it is inconceivable that there should exist the science called for. Needless to say, there does not in fact exist such a science. Where, though, there is the outward semblance of a science—that is, a system of organized concepts—that semblance has to be *philosophy*.

Now there does in actuality exist philosophy—or, more accurately, philosophies, for the systems are numerous—which give the specious appearance of dealing in a scientistic manner with values and decisionmaking in every imaginable area. Thus, even if government did no more than arrogate to itself individuals' right to decide what to do with their own land, we can see how a condition would be created in which it would *seem* necessary to call for professional decisionmakers and, in addition, an adjunct bureau of philosophers. So, what the writers of our memorandum said is, superficially taken, true enough.

Indeed, when one considers the massive invasions of government into all the remaining areas of properly individual decisionmaking—personal health, safety, the education of children, and so on and so on—the urgent and sermonizing tone of those writers hardly seems urgent and sermonizing enough. Anyone acquainted with the history and nature of these topics and questions has to know, however, that the entire humanistico-scientifico proposal being promoted is either plain foolishness or plain fraud. Every knowledgeable philosopher has to be aware that decisionmaking in these remaining areas can be no more scientific and hence professional than in the area of land use. The same indeterminate connections and perceptions pervade them as pervade the uses of land.

What look like scientific adjudications—for example, the answer of this particular theory of aesthetics to such-and-such a question concerning the nature of beauty—are no more than the expressions of particular philosophers' conclusions, and these have ever been, and continue to remain, in a state of irreconcilable, mutual opposition. Knowing this, the knowledgeable philosopher who promotes the "philosophication" of bureaucratic policymaking has to be engaged in deliberate fraud. When promoted with serious intent by people who do not know what the knowledgeable philosopher knows—for example, members of the public and beginning students of philosophy—the promotion is foolishness.

If this were all that there was to the affair, one should not have to be concerned. One might even be amused. But as is made clear by my golfing partner's confidences and by the myriad "centers of value study" that are springing up everywhere in academe, this is not, today, all there is to the affair: a mere, fanciful proposal of either scheming or forgetful or unknowledgeable philosophers. The proposal in question is being clothed in the realities of bureaucratic and governmental fiat and power. It is being clothed in the make-believe vestments of a science by myriad philosophy departments in academe.

Thus, all the signs point to the philosophication of bureaucratic policymaking mushrooming explosively and maximizing itself throughout government. And this means that to every office and branch of the already vast bureaucracy will be added a layer of "professional policymakers" and to that new layer a still further layer of "research" philosophers. The contemplation of this dawning state of affairs, this ship of state with superstructure upon superstructure reared upon its already bulging decks, may delight those who intend to be part of its operating crew. It must certainly horrify everyone else.

One already sees the once finely machined, marvelously quick American industrial engine so enmeshed in bureaucratic red tape and regulations and deliberate sabotage that its wheels either barely turn or fail to turn at all. Imagine, then, what these obstructions will come to when bureaucracy not only expands horizontally, as it has in the past, but vertically, adding a new order or layer to its present structure (the self-styled professional policymakers) and then a further order or layer to that one (our analytic philosophers)!

One might perhaps hope that as the inevitable resultant further slowing down of the economy begins to pinch unmercifully, the public will awaken to the true causes of its misery and throw off the offending bureaucracies. When one considers the case of Russia, however, and the deprivations that its populace suffers year after year with no seeming awakening, one can hardly be optimistic on this score. If paper, typewriters, and printing presses are still available, will not the public be told that the stubborn, selfish, uncooperative forces of greed have sabotaged the brave new world that our professional decisionmakers and their associated philosophers were on the very verge of creating—and that hard, harsh measures against these forces need to be taken? Will not the public, infatuated with the scientific-sounding jargon in which these alarms and fulminations will be couched, probably assent?

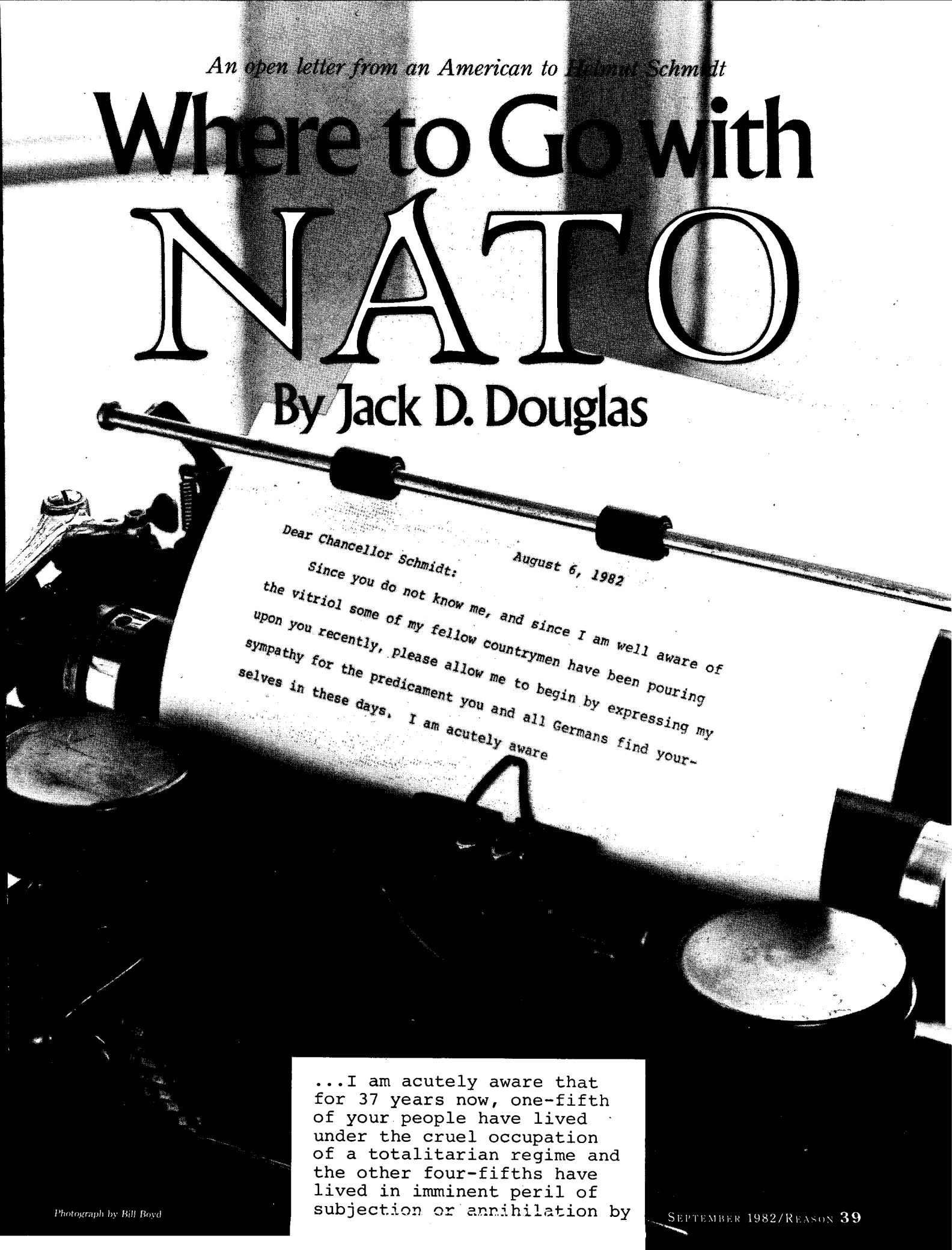
What is to be done? One can hardly strike an optimistic note. On the other hand, wholesale pessimism is not called for either. No one can meet philosophers on their own ground but other philosophers. If this new aggression of bureaucracy is to be thrown back, it will take philosophers to do it. It is all a question whether there are enough honest philosophers to be a match for the dishonest ones. It is only as the coming battlelines are drawn that this last question will be answered. ◻

John Nelson is a professor of philosophy at the University of Colorado, Boulder.

An open letter from an American to Helmut Schmidt

Where to Go with NATO

By Jack D. Douglas


Dear Chancellor Schmidt: August 6, 1982
Since you do not know me, and since I am well aware of the vitriol some of my fellow countrymen have been pouring upon you recently, please allow me to begin by expressing my sympathy for the predicament you and all Germans find yourselves in these days. I am acutely aware

...I am acutely aware that for 37 years now, one-fifth of your people have lived under the cruel occupation of a totalitarian regime and the other four-fifths have lived in imminent peril of subjection or annihilation by

Photograph by Bill Boyd

that regime. Since 1955 you have been, by geographic necessity combined with courageous choice, the front-line defense of the entire free world against the threats of the Russian Empire. I know as well that two million of your citizens in West Berlin live as permanent hostages to that regime.

And I know that you and your people resent the continued distrust, and often outright hostility, that many of your fellow West Europeans feel toward Germans for the supposed "historic guilt" which most of you in fact did not share. Germany today is the most vital center of Europe's economic and military power. Your people are vastly creative, courageous, and decent. You deserve the respect, good wishes, and support of all freedom-loving people. You certainly have mine.

Let me say also that I have no illusions about German resolve because of the demonstrations against US nuclear missiles or even because of the far more serious question of your own party's relative lack of reaction to the Polish crisis. I know that a strong majority of your people do support the American presence, even the dreaded nuclear presence, in Germany. I believe Germans in general remain resolved to be free of Soviet dominance, and I believe they know Finnish "neutrality" is another word for submission, but I suspect they are now entering a period of intense soul-searching from which they will soon emerge with a firmer course for dealing with their growing domestic and military problems.

It is this German soul-searching that has triggered my own soul-searching and, I believe, will soon do the same for millions of Americans and other Western peoples. I believe we will all come out stronger and friendlier if we keep each others' fears, hopes, and interests in mind. To do this, we must express these clearly to each other. And this has inspired my letter, for I believe too many Germans (and even more other Europeans) have forgotten some basic facts about American views of our involvement in Europe.

The US economic (Marshall Plan) and military (NATO) involvement in postwar Europe (and Asia) have had only one purpose—that of rebuilding the strength of Europe (and Asia) so they could remain free by defending themselves against Russian imperialism and, by doing so, prevent another world war that would involve us. Our economic and military presence has been an investment intended to produce European (and Asiatic) strength for their self-defense and, thus, strength for our own self-defense. As Vannevar Bush said in support of American involvement in NATO in 1949, "We tax ourselves to rehabilitate Europe, and to furnish arms for aid to a revival of strength which can in the long run defend itself fully."

Like all investments, this one has had various costs and benefits and some irreducible uncertainties. In this particular case, the costs have been immense and more obvious to most people than the benefits.

The one overwhelming cost to us of our military presence in Europe is the mortal danger it poses of nuclear attack on our own nation. Europeans are often *blinded by the real nuclear dangers they face to the greater dangers we Americans face.* As long as Americans realistically threaten any Soviet invaders with a nuclear defense if our Western conventional forces are defeated (or merely attacked), any Soviet war planner will have a great incentive to strike the United States *before* invading Europe.

This incentive will be at a maximum for the next five or six years, before our new MX missiles and nuclear subs close the "window of nuclear vulnerability." The most tempting Soviet strategy would be (1) to try to knock out America's intercontinental nuclear forces while minimizing civilian casualties, (2) to threaten to destroy our cities with their remaining nuclear weapons if we attack them with nuclear weapons, and then (3) to defeat Europe with conventional forces or, more likely, force you to pay massive tribute to buy off their invasion. Even if they did not attack our cities, this strategy would kill and maim tens of millions of us. As long as we threaten a Soviet attack on Europe with strategic or tactical nuclear counterattack, we face a far graver danger of nuclear attack than Europe, and this danger will be at a maximum in the years immediately ahead. It is we Americans, not Europeans, who are most endangered by our commitments to defend Europe with nuclear weapons.

Henry Kissinger has actually argued (in *The White House Years*) that many Europeans all along have recognized that we Americans bear a greater risk because of NATO's nuclear strategy: "Their [Europeans'] secret hope, which they never dared to articulate, was that the defense of Europe would be conducted as an intercontinental exchange over their heads; to defend their own countries, America was invited to run the very risk of nuclear devastation from which they were shying away."

I realize, Mr. Chancellor, that this bit of cynicism is not shared by Europeans like you who support the placement of our new nuclear missiles in Europe. But I'm sure you recognize this syndrome of nuclear cynicism in many Europeans, especially in our mutual "friends" who have rejected these missiles and yet expect us to live up to our nuclear commitments on their behalf. They have told the USSR with startling clarity, "The United States should be your target, not us."

I believe this grave danger to America is growing daily for three reasons. First, the window of nuclear vulnerability will remain partially open for five or six years. Second, the rapid growth of Soviet nuclear and conventional forces in the past 10 years has brought them even with (or possibly superior to) our Western forces because we have hardly increased our own forces. It will take several years for the United States to rebuild its conventional forces (at considerable risk to our economy) and, with the partial exception of France, *Europe is refusing to match our increased military preparations.* Third, the economy of the Russian Empire has stagnated terribly: for 10 years their military and consumer production has depended increasingly on Western "loans" and the theft of Western technology, which gives the Soviets a growing incentive to turn Western Europe into states paying ever more tribute to keep their empire from disintegrating.

I doubt that these three incentives are at present sufficient to lead the Soviet government purposefully to launch an all-out attack, though I certainly believe we must be continually in a state of high alert during this entire period. The danger of massive destruction in the USSR by US submarine nuclear weapons, even after a first strike on us, is probably too great to start with a nuclear attack even during our most vulnerable period. Since the Soviets cannot count on many of their Warsaw Pact forces, must doubt the reliability of even some of their own forces, and could not possibly win a protracted war with the West, it is unlikely that they will launch a conven-

tional attack unless they gain a great advantage militarily or politically that gives them hope of a quick conventional victory. But the present incentives to strike will grow perilously if the recent trends continue.

If Germany and the rest of Europe do not quickly and greatly increase their conventional military strength, within the next five years they will become far inferior to Russian forces if Russia merely continues its rate of growth in recent years. Prof. Michael Howard of Oxford has summed up the situation in a letter to the *London Times*:

The true vulnerability of the West still lies where it always has, in the field of conventional armaments. The likelihood of the Soviet Union believing that they could launch a nuclear attack on Europe without suffering instant retaliation is, by any standards, utterly remote. So long as the conventional balance remains so uneven, the Western strategy of relying on the first use of nuclear weapons to defend ourselves is not only morally dubious but politically and militarily incredible. But the responsibility for this strategy does not lie with the U.S. It lies with the governments and peoples of Western Europe who have, for the last thirty years, refused to take the necessary measures to provide for their own conventional defense.

It is true that America can offset this imbalance by building our own forces massively, but why should we do that and remain in Europe (and Asia)? As long as our investment in Europe (and Asia) led you to build adequate self-defense forces, it was rational for us to do so because then we did not have to bear the full cost of defense against the Soviet menace. But, if we must bear ever more of the cost in the 1980s, while our very presence in Europe is combining with Soviet incentives to attack and thus greatly increasing our risk of attack, it is then quite irrational for us to continue our military commitments to defend Europe.

Is there any rational reason why Americans would assume an ever greater share of the cost of defending Europe and an ever greater risk of nuclear attack? Those who would defend this American drift toward the abyss of the absurd offer only two rationalizations.

First, some of them assert that the Soviets have no aggressive intentions toward other nations. These victims of their words of peace have deluded themselves into thinking Soviet actions in Eastern Europe, Afghanistan, Cuba, Libya, and a dozen other "wars of liberation" have no meaning. The Russian Empire has always pursued a strategy of cautious expansion and consolidation. The massive growth of its surface naval forces in the past 15 years indicates that it intends to pursue an even more aggressive, less cautious policy of colonization throughout the world.

Second, those less blind to the meaning of Soviet actions assert that America would not dare let them seize Western Europe because they could then turn the strength of Europe against us. These cynical supporters of the "free ride" believe we are thus trapped into treating Europe as a welfare case, allowing you to become ever more dependent because we fear you might become a Soviet force directed against us.

I do not believe that for one moment. Poland shows how much the Soviets can count on the help of their satellite allies. Albert Speer, in *Inside the Third Reich*, says the Nazis were never able to mobilize effectively non-German manpower or industry to support their war effort. If the Russians ever "conquer" Western Europe, they will suffer far more massive and courageous guerrilla movements, internal sabotage, and spying than the Nazis ever did. If they ever have to live under Soviet tyranny, even your Marxist intellectuals will see the meaning of Soviet actions.

The second major cost to America of continuing the present situation of NATO is the financial one. The US Defense Department generally estimates the annual cost of our NATO forces at around $65 billion. Some civilian critics estimate the cost at $80 billion or more. If we were to withdraw from NATO, we could use the money saved to build a highly effective program of ballistic missile defense, coupled with large-scale civil defense measures.

I'm sure you will agreee with me, Mr. Chancellor, that a military alliance and strategy is irrational and should be abandoned unless its benefits outweigh--or at least equal—its costs. But what are the benefits of our NATO involvement to America? We do not need Europe for any raw materials whatsoever. While we benefit from trade with Europe, our trade is largely balanced, and our exports to Europe are not vital to our economy. While we benefit far more from access to European science and technology, Europeans benefit vastly more from access to American science and technology. The potentially vital benefits of NATO to us are precisely those we intended to achieve when NATO was established.

The original purposes, as I noted, were obvious: the Marshall Plan and America's commitment of the nuclear umbrella and conventional forces for Europe were supposed to lead to a massive build-up of Europe's conventional forces such that the Soviets would not dare attack Europe or the United States. In the beginning most Americans, like Vannevar Bush, surely expected this European build-up would allow us to withdraw our troops from Europe, even if we had to maintain our nuclear umbrella. When the British and French developed independent nuclear forces, even the need for the American nuclear umbrella was thrown into question.

By the 1960s these initial hopes seemed dashed because Europe insisted on our keeping our forces in Europe as a "trip-wire" to warn the Soviets of our nuclear retaliation and to guarantee that retaliation. (As Kissinger says, "Our troops, to put it bluntly, were wanted as hostages.") These hopes were also dashed because *our very presence encouraged Europeans to relax their rearmament* and to put more and more of their rapidly growing wealth into vast welfare programs. (As Kissinger says, since they have our troops as hostages, "our allies never had an incentive to contribute to a real capacity for regional defense. To be sure, our European allies made defense efforts of their own, to avoid congressional complaints that we were carrying the whole burden. But the European ef-

fort was beset by ambivalence at its core.")

So Europeans became ever more dependent on US "military welfare" and, like the dependent everywhere, began to demand more and more as a right at precisely the same time they came to hate their dependency more and more. And so Americans fell back to *hoping* NATO was an alliance of equal strategic risk, equal financial cost, and the equal benefits of equal deterrence of Soviet aggression against any of us. Against all of our deepest sentiments and distrust of "foreign entanglements," we began to acquiesce in seeing this alliance as permanent. Some began to see it as "unthinkable" that the alliance should end.

Perhaps Kissinger is right that even by the 1960s we Americans were already bearing a disproportionate share of the risks and costs relative to the benefits we received from NATO. Regardless, it is obvious that *our risks and costs are now growing perilously relative to our benefits.* We simply cannot continue this increasingly irrational trend of events. Day by day, Europeans are failing more and more to hold up their end of the alliance. This year your own party approved a mere $19.2 billion for defense—a paltry sum compared to our defense budget and a real *decrease* of almost 1 percent from your defense expenditures last year. This is unconscionable, Mr. Chancellor.

Every day, more Americans become aware of how perilously irrational our involvement in Europe is becoming. If this trend continues, soon the demand for American withdrawal will become a political storm that could injure our long-term relations. Though our soul-searching may turn up some more creative ideas, there are at least three obvious paths we can follow.

First, Europeans can quickly fulfill their part of the bargain. *You should rapidly build your forces to the point at which you can, with our help, realistically defend yourselves against a Soviet invasion.* You are now as rich as Americans and, like us, vastly richer than the Russians. Your science and technology combined with ours is vastly superior to theirs. If you do this at the same time as we continue our rearmament, the Soviets may even opt for a real detente involving real, verifiable arms controls. If not, they will quickly fall behind and will not dare strike.

There are some who fear this will lead to a preemptive Soviet strike. But this argument is absurd, for it assumes that only by continuing our present trend of getting weaker and weaker can we prevent such a strike. These Candides assume a Soviet benevolence that surpasseth imagining by rational people. They will only strike if they intended to do so someday when we were even weaker relative to them. Our build-up will show a will, vigilance, and state of alert that will make any preemptive strike by them less likely to succeed.

If you fulfill your side of the bargain, our risks and other costs will decrease greatly, thus making our commitment of the nuclear umbrella more rational. But a vital part of our nuclear forces must be stationed in Europe. Otherwise, we become *the* overwhelming target of Soviet nuclear forces.

Second, if Europeans do not follow this path, the United States can withdraw very quickly from NATO. If we withdraw after a political storm, I suspect this is the path we would follow. I believe it would be dangerous for us all and gravely injure our relations.

Third, if Europe does not rearm quickly, America can announce a schedule of disengagement that is rapid enough to offset our growing risks and other costs but slow enough to allow Europeans to rearm in an effective way. I suspect this will be necessary to provide the "incentive" to rearm that Europeans have not had under our "military welfare" regime. We could, for example, announce that we will withdraw one-fifth of our forces each year for five years. The first withdrawal would come one year after the announcement, allowing ample time for Europeans to replace them. At the end of that period we would withdraw the nuclear shield. That should allow Europe to expand greatly the British and French nuclear forces. We could even give any assistance necessary in developing rockets that could reach Soviet targets.

While I am willing for us to follow the first path, because of our previous commitments to Europe, I would greatly prefer the third path; and I suspect most Americans today would agree if they knew all of the arguments. We are quite capable of defending ourselves without anybody's help. That's perfectly obvious to everyone, including the Soviets. They would not imagine attacking the United States directly if we were not committed to defending Europe; we would have to shrink to a mere shadow of our present strength before it would be rational. It is Europe that is and has always been in danger of Soviet invasion, not us.

The Communist Party in the USSR desperately needs an external source of wealth to shore up their stagnating economy. So far, they have been able to get this in the form of "loans," now totaling about $70 billion, most of it from Europe. All reliable accounts reveal that the Soviet people are deeply frustrated and terribly cynical about the party. The party leaders know that, and they deeply fear a revolution or a coup. (All dictators know they are illegitimate, and they dread the wrath of the people. Speer could never convince Hitler to divert consumer goods to war production because of this dread.)

Poland is the ultimate spectre to all the *apparatchiki.* They dare not reduce the standard of living. They cannot repay those loans. (In *Forbes* magazine on July 6, 1981, George Champion, the retired chairman of Chase Manhattan Bank, which has two outstanding loans to Poland and many more to other Eastern bloc nations, stated flatly, "Loans to Iron Curtain countries...can't be repaid.") All Western loans to the Russian Empire have become a veiled form of tribute.

All massive bureaucratic, imperial war machines must have tributory states to pay for their vast costs. Who will pay the tribute to the stagnating Russian Empire? The two traditional targets of their imperialism are Europe and the Middle East. They will move against whichever of the two is the weakest—or against both, if both are weak enough. (Japan is also rich enough, close enough, and weak enough to be a prime target.)

Germany and the rest of Europe can meet the rapidly growing Soviet threat by quickly and massively rearming. If you do so, you will most likely have our help, at least for some years to come.

If you do not, we will surely begin to withdraw. If we do, I hope we give Europeans time to recognize their mistake and to rearm in earnest. But don't count on that. Americans are rapidly becoming aware of this deteriorating situation. Once aroused, Americans are impetuous. Charles de Gaulle said long ago that some day Americans would want to "desert" Europe. I hope it does not come to desertion. The time grows perilously short, Mr. Chancellor. ◻

Jack Douglas teaches sociology at the University of California, San Diego.

LETTUCE AND SEX

The same people who boycott farm produce can't take the New Right's boycott of "Three's Company."

BY HUGH MACAULAY

The Coalition for Better Television (CBT), led by the Rev. Donald Wildmon—although now retired to the sidelines—has been striking terror into the hearts of our messengers employed by the media. CBT suggested to its members that they boycott the products of firms sponsoring television shows that CBT considered undesirable.

The situation was appraised by columnist Les Brown in *Channels* magazine:

Zealous to achieve a positive end, the coalition has resorted to means that raise moral questions of their own. It has crossed the line of healthy citizen involvement in adopting an action which, though legal, inevitably leads to the silencing of voices and the vanquishing of the creative and journalistic spirit. The coalition intends to clean up television by censoring it.

Hodding Carter III, quoting Brown, delivered his own observations in the *Wall Street Journal*:

The preacher and his crusade have the fervent, open support of the Moral Majority, which automatically produces frothing at the mouth by people of my political persuasion. We tend to see, or at least pretend to see, a revival of McCarthyism behind every reassertion of the old-time religion and a slide toward fascism in every small step back from some of the wretched excesses of the go-go days of doing your own thing. An honest-to-goodness national campaign by right-wing moralists raises the specter of the political apocalypse for some of us.

These are heady judgments—censorship, fascism, McCarthyism, questionable morality, political apocalypse, vanquishing the creative spirit. They sound like the desperate cry from someone under deadly attack, rather than the dispassionate and reasoned statements one expects from those who report and interpret the facts.

In truth, however, they are the plaintive pleas of many members of the press, a group that for the last decade or so has generally failed to see what is going on in the world. Members of the group have been busy building up and reporting on media events like the Santa Barbara oil spill, Love Canal, Three Mile Island, and the Mediterranean fruit fly and have missed the big picture. They have also been busy protecting and expanding their own rights, while they have often ignored or actively supported the decline in the rights of others. There have been other voices out there crying in the wilderness, but most media people have had their hearing aids turned off except when listening to each other. Now, real-

Illustrations by Deanna Glad

ity has hit them, and they are confused.

Irving Kristol once observed that a neoconservative is a liberal who has been mugged by reality. Some members of the media think they are now getting mugged. Whether they transcend their liberalism will depend on whether they understand what is happening. So far, it does not look promising.

Normal Lear, for example, fears censorship and has risen in righteous wrath and produced a film, not about Archie Bunker, but about different yolks for different folks. His characters comment on eggs (not on the face, but on the plate), how they like them prepared, and how they don't. They note that eggs can be served fried, scrambled, sunny-side up, poached, or in several other ways. Lear finds that people differ in the way they like their eggs; each of us ought to be able to enjoy his eggs his way.

This is no startling revelation. The little gem is a part of human wisdom enshrined in several aphorisms, such as one man's meat is another man's poison; some like it hot; Jack Spratt could eat no fat, his wife could eat no lean; and I'd rather do it myself.

All of this would make it appear that mass media liberals are correct in their efforts to head off censorship at the pass and leave people free to choose, to coin a phrase. The problem is, however, that the liberals are late to arrive on the scene and, indeed, have often been ardent advocates of a homogenized society in all areas except their own.

Look at their two major complaints: boycotts will destroy the freedom to choose, and the efforts of the Coalition for Better Television produce a form of censorship. Neither is correct.

Take boycotts. When civil rights groups saw fit to boycott the buses in Montgomery, and labor and church groups were boycotting Farah jeans, California lettuce, and J. P. Stevens fabrics, where were the voices objecting that these were violations of the freedom of individuals to choose among alternatives? Such voices were faint, and justifiably so. This *is* freedom to choose.

When a person buys a shirt, he considers many things. He may ask if it is pretty, strong, stylish, made in Hong Kong or Terre Haute, made by happy workers or virtual slaves, produced by a business with factories in South Africa, manufactured by a firm that pollutes the environment, or whatever. Beauty, taste, and the desirability of the conditions under which a good is produced all lie in the eye of the beholder. To buy or not to buy, that is the question; and all of these conditions may be considered in reaching a decision. Some think the South African connection is important; others do not.

When people choose the goods they like, they may do so individually or collectively. Each may privately select some brand of peanut butter, or collectively they may choose to join with the Lions Club, Baptist Church, or Wilderness Society in buying or doing what these groups promote.

Companies try to make buyers aware of the availability and the good features of their wares. They advertise. Other producers or interested parties may tell of the bad features of these goods or how their goods are better. They might claim that other pain relievers lack buffered strength, the Corvair is unsafe at any speed, infant formula kills children in other countries, and so on.

After considering these many factors, people then choose. Some may believe that the features stressed by boycott promoters are compelling, and they may choose not to buy. J. P. Stevens or Willie Farah might have argued, just as convincingly as Les Brown and Hodding Carter's liberals, that the boycotts against their products were immoral, stifling the creative spirit to design and produce fabrics and clothing, an intrusion of moralistic do-gooders upon buyers and sellers of goods and labor in a

free market, and an example of McCarthyism, censorship, and fascism.

Economist Ronald Coase has pointed out that the market for goods and the market for ideas are quite similar. In each case, people choose among the goods or the ideas offered and take the ones they find most desirable. Some are good; some are dangerous. Why is it sensible to deprive people of cyclamates but permit them to read tracts and books that are socially, religiously, politically, or economically much more damaging? Ideas can be far more dangerous than goods. In the last decade alone, 2,000 people have died in Northern Ireland largely because of publications and ideas relating to religion and politics. Cyclamates in over two decades of use have killed no one.

Walter Wriston told the Society of Newspaper Editors in 1979 that they were not defending freedom of speech, except as it narrowly applied to themselves. He suggested that there is another form of speech that is in dire need of protection: it is a variation on the theme "Money talks." Our longing for a good can be expressed in glowing language or with our willingness to part with our money. Buying and selling, employing and working, are forms of expression as much as is speech.

Government has said, however, that no matter how much a person wants to work (or buy a job) and is willing to speak or express his desires by offering many of his hours for a modest amount of money, he will not be allowed to make this statement if he must give more than one hour for $3.35. Simply put, it is illegal to work for less than the minimum wage. This is a restriction on a person's ability to speak with his actions, though we all know that actions speak louder than words.

If someone wants to sell oil or rent his apartment, or if he wants to buy peanuts, cars, labor, or legal services, various levels of government have laws that set or significantly alter the prices he receives or pays. His freedom to buy and sell is often severely restricted. People cannot freely speak their piece with price, so we get false messages. The media, however, have usually been unmoved by these restrictions.

Rather, television seems to its producers and participants to be different. Thus, Les Brown can imply that advertisers and producers should hang tough and put principle above profit in continuing to offer the shows that CBT opposes. Producers are admonished not to let mere money come between them and artistic benefits to society.

Yet is there really anyone out there in radio or television land who honestly believes that *Flamingo Road, The Dukes of Hazzard,* and *Three's Company* are being offered by the networks and sponsors by advertisers because of their social or artistic merit? These shows have made it through the Nielsen ratings and the periodic network shuffles because they attract more viewers and sponsors than do competing shows, and viewers mean money. That is the way the market works, and that is the way television works.

When CBT tells its members that they may want to rethink their priorities, suddenly members of the media tell us this is forsaking motherhood, apple pie, and square dancing. What has happened is that the folks who were good at producing Brand X programs have suddenly discovered that their brand may not be the leading one any longer. Producers of these shows might want to talk to Willie Farah, California farmers, Lee Iacocca, or producers of adding machines, flammable fabrics, or mechanical watches. Business owners know that tastes change, sometimes irrationally or because of boycotts; but when people are free to buy or boycott, businesses' complaining and wailing are less effective than changing.

When people change their tastes for television programs, though, this is viewed as a different matter. High principle is supposed to demand that the producers be allowed to continue offering the old product. Otherwise there is a serious intrusion into matters of fundamental importance. No freedom, no creativity, just coercion.

Norman Lear tries to tell us that people are different, but that is exactly what CBT is trying to tell us. That is also what business leaders have been trying to tell us for the last two decades, as Ralph Nader has tried to see that everybody is forced to buy the product that Nader likes best, such as the interlock seat belt. One is tempted to wonder whether Mr. Lear grasps his own message. Like most of us, he appears to believe that if others can choose what they like, they will choose what he likes, for all sensible people will like what he likes—but it ain't necessarily so.

What, then, about the second complaint, the charge of censorship? It looks as if CBT is trying to censor the programs that people would like to watch. If some of the programs are taken off the air, that would seem to be conclusive proof. But there's many a slip between disgust and the clip.

A censor is not just somebody who examines some good, service, or activity to see if it meets some standard of quality or purity; he also has the power to see that others are forbidden to enjoy it if it fails the test. CBT does the former: it judges quality according to its own standards. But it cannot do the latter: it cannot *forbid* others to buy and enjoy the programs it dislikes.

A difficulty arises in that, because of CBT actions, a program may be canceled. This certainly looks like censorship, but that is a loose use of the term. *Bonanza, The Rockford Files,* and *The Mary Tyler Moore Variety Show* have all gone off the air because network executives believed that they could not attract as many viewers as could the programs that replaced them. If this is censorship, then we need a new word for *real* censorship.

Consider an analogous case. We have unlimited wants for goods, but we also have limited resources to make or acquire these goods. This means we will not be able to have all the things we want, and maybe not even all the things we think we need. If we get some things, we will have to do without some other things. But doing without is not necessarily being forbidden to buy.

The same rule applies to television. There is a finite number of channels and of hours in prime time. All the programs that people would like to see cannot be shoehorned into these slots. Some programs will not make it, not because of censorship but because of an overriding law of the market that says these programs have less desired content than do other shows. But if they can attract enough support, they will probably be shown again.

If people are truly concerned about censorship in television, a more likely culprit springs readily to mind. Congress has declared that the radio and television frequencies belong to the public and that the Federal Communications Commission must therefore regulate their use. As a consequence, we have had only three major networks, considerable delay in the spread of pay TV and cable TV, and rules prohibiting certain programs altogether and forbidding other programs during certain hours. These regulations do not allow for the differences that Norman Lear likes and a free market would recognize. They amount to real censorship.

Another area where censorship has been alleged is in reporting of the daily news on television. Once again, however, there is a limitation at work here—not censorship. The television evening news has about 22 minutes each day and can report on less than 1 percent of the quantity of material in that day's *New York Times.* What 1 percent will be chosen, and what 99 percent will be "censored"?

The people who put the news shows together do not view themselves as censors, and they are not. Viewers may not receive any information about the stories that are deleted, but this is because of the physical limitations of time rather than any legal limitations forbidding the broadcast of these stories.

There is the very real problem that viewers are getting news that has been filtered through the world-view of the program's newscaster and director. Further, the news that does make it may be inaccurate, as economic journalist Tom Bethell has argued the CBS reports on inflation have been. But people are getting the news they love to hear. If they were not, another producer would offer them a different array of stories. It may well be that television news and news reporting are the best examples of Gresham's law we are likely to find. Bad news has frequently driven out good news, and bad news reporting all too often appears to have driven out good news reporting. But we get these results because of private tastes and not because government has forbidden either good news or good reporters.

Outside of television and the press, we find that true censorship has been widespread elsewhere in the markets for goods and services. Consumers are forbidden to buy cyclamates, automobiles without seat belts, children's clothes that have not been treated with flame retardants, and a thousand other goods. Workers are required to buy a particular type of insurance/retirement plan (Social Security), and they cannot work for less than time-and-a-half for overtime. All of these are forms of censorship, with government deciding what people must or cannot do with their lives, their time, and their property. It may appear that this is similar to what CBT is trying to do, to deprive others of the television programs that CBT finds objectionable. But CBT has not called on that greatest monopoly of them all, government, to ban these programs.

Many television producers and reporters implicitly accept most, if not all, of the market restrictions cited. They select people to interview on their news programs and choose subjects for their entertainment programs to assure viewers that these restrictions promote the "general welfare." But when anyone seeks to promote the "general welfare" by restricting the activities of the media messengers, what seemed to be desirable preaching appears as unconscionable meddling. The Rev. Jesse Jackson can call for a boycott of the products of Coca Cola Co. and the public interest is served; but let the Rev. Donald Wildmon call for a boycott of the products of a sponsor of *Three's Company*, and reporters tell us the Republic is in danger.

People who are so unperceptive hardly deserve the support they frequently solicit. Fortunately, there is an even better reason not to worry about them. There is no wolf at the door; such efforts as the CBT's are only viewers expressing their tastes.

There are two broad lessons from all this. First, each of us tends to see his case as unique. Seldom is that warranted. People may join together in groups like the Sierra Club and encourage each other to buy environmental purity instead of drag racers. Or they may join together in groups like the CBT and encourage each other to buy products made by sponsors of programs they like instead of products of sponsors of programs they do not like. But no one is forced to join either group. As Coase noted, the market for ideas is symmetrical to the market for goods.

Second, there is a difference between private choice and action that is required by government. The free market relies on the former; the political market, on the latter. The two are dissimilar and in many ways asymmetrical. The former is based on individuals choosing where to work and what to buy, constrained by the wishes of others as reflected by price. There is no free lunch, but if you will pay the price, you may have the lunch you want. And people buy and sell only if they will be better off by doing so.

The public political market, in contrast, is based on using government power to take from one party and give to the other when the latter is not willing to pay the price required. There still is no free lunch. If you think you are getting yours free, someone else thinks he is getting his free; but neither lunch is free. He will pay for yours, but you will pay for his. The consequences are easy to predict: costs will be higher, and neither party will be happy.

These rules apply to the press as well as to the market. The Founding Fathers saw clearly when they wrote the First Amendment that people should be free to choose among religions and ideas. The fact that they did not say that Congress shall make no law abridging freedom of the market does not keep the principle of liberty from applying equally well to free choice among goods. The market is like the press; both produce what people want. With a little bit of luck, the press may see the point. Then this supposed ill wind may blow much good. ◻

Hugh Macaulay teaches economics at Clemson University.

Rent Control

(Continued from p. 33)

estate, all in the name of the sacred right to private property!

Is Schmitz's case an exception? Consider the long history of censorship advocacy by such mainstays of conservatism as *National Review*, William F. Buckley, Jr.'s magazine, or the infamous support conservative forces have given to no-knock laws in the futile, antilibertarian fight against private, victimless consumption of drugs. As in the past, so today conservatives are reluctant to extend the principles of liberty beyond the very selective domain of market activity, and there only as a matter of pragmatic convenience—that is, in the name of efficiency, provided what is produced and traded meets with their approval.

THE LEGAL APPROVAL of what must have been recognized as an essentially conservative assault on the principle of private property rights came early in the 20th century, when the Supreme Court upheld zoning ordinances as a proper exercise of the police power of cities. And once this is recognized, it is no longer possible to credit FDR and the New Deal alone with accelerating a movement away from a basically free republic toward a centralized, interventionist welfare state in the United States.

Today's political left, too, is merely making its own particular use of the legal precedents conservatives so eagerly supported and the courts established earlier. When apartment owners in Los Angeles shout "Freedom, freedom" outside Mayor Thomas Bradley's office in protest against rent control, thinking that left liberals are their enemies and conservatives are their allies, they should think again. They should consider that, whereas the left liberal wishes to control the property of apartment owners in order to make apartment living more convenient for some people, conservatives have always been willing to control everyone's property so as to make the use of that property conform to their own aesthetic, racial, religious, and related opinions.

The simple truth is that there is not a great deal of difference in principle between the left and the right in American politics. Certainly neither is a principled defender of human liberty and each individual's right to private property. ◻

Tibor R. Machan is a senior editor of REASON. *He teaches at universities in New York and California and is the editor of* The Libertarian Reader *(Rowman & Littlefield).*

VIEWPOINT

Flat-Rate Debate

BY MURRAY N. ROTHBARD

With Reaganomics in a shambles, the administration keeps looking for some panacea, some gimmick that will bring the economy out of the doldrums and insure political victory. Other politicians and economists are also looking for some quick route out of our economic mess. The latest nostrum being seized on is the flat-rate income tax.

Neoliberal Democrats, Friedmanite economists, Reaganites, and libertarians have all jumped on the flat-rate bandwagon, hailing it as "simple" and "fair," in contrast to the present complex system that soaks upper-income groups while allowing others to avoid paying their "fair share" of taxes. Even my favorite congressman, Ron Paul (R-Tex.) has fallen for this hokum, hailing in a press release the "perfect fairness" of a flat-rate tax. And many libertarians, who claim to have abolition of the income tax or even all taxes as their *ultimate* goal, have taken up the flat-rate cause as a sensible "transition" demand on the way to their eventual goal.

The first point to make is that, for some reason, no one is *really* calling for a universal flat rate, despite its alleged perfect fairness. Everyone advocates a hefty minimum income floor to be exempt from any tax, the usual figure bandied about being $10,000. But if the poor are to be exempt from the fairness of flatness, why not—as even the president himself wondered— those suffering from catastrophic illness, who are now exempt and would have to pay suddenly at the high fixed rate? Why is poverty worse than a catastrophic illness and therefore more entitled to exemption?

But a more important flaw is the very concept of fairness in taxation. The word *fair* is here being used to cloak the envious view that, by God, if Smith has suffered Jones should be made to suffer equally as well. "Fairness" in taxation is compulsory equality in suffering. The proper analogy is with slavery before the Civil War. It is as if we see a group of slaves escaping the South, and we then capture them and send them back to their masters, saying something like this: "We recognize that slavery is evil and that someday slavery should be abolished, but in the *meanwhile* it is terribly unfair for you to escape slavery while your brothers and sisters are suffering that fate. Therefore, we're sending you back until *all* slaves can be equally freed."

The analogy with slavery is a good one because taxation is nothing more nor less than organized theft. If we see Group A escaping taxation, whether through tax shelters, tax credits, exemptions, or whatever, our proper response is not to curse them for escaping their "fair share" of taxation and to force them under the heel of equal robbery. On the contrary, we should all rejoice at their ability to escape taxation and try to widen those shelters, exemptions, and "loopholes" to include all the rest of us. The mean-spirited quest for extending robbery to the currently exempt is in *no* sense a transition to a taxless society. Quite the contrary.

Those libertarians who see a flat-rate tax as gradual transition to abolition of the income tax should realize that it is absurd to advance toward zero taxation by *increasing* the taxes of the currently exempt and sheltered. That is very much like the Marxists who claim to be moving toward the goal of abolishing the state by *first* maximizing state power. It is, in short, hokum and double-talk.

Finally, in pragmatic terms, the flat-rate scheme is just another gimmick to soak the main sufferers from income taxation, the bedraggled and exploited middle class. The poor will get a hefty income exemption; the rich will enjoy a big cut in their taxes. I don't begrudge the poor or the rich their proposed goodies under the flat-rate; but I do take great umbrage at the *increase* in taxes that the bedazzled and swindled middle classes will undoubtedly have to shell out when the dust has settled and the piper will have to be paid.

Murray Rothbard is a professor of economics at Brooklyn Polytechnic Institute of New York and the author of numerous articles and books on economics, history, and the libertarian movement. His most recent book is The Ethics of Liberty *(Humanities Press).*

Illustration by Daryl Dane

Familial Tax Savings

BY TIMOTHY CONDON

Good little tax breaks that work for anyone and everyone are hard to find. Or rather, it's hard to find such tax reduction methods that *survive* once a great number of people are taking advantage of them. I'm not talking about the medical deduction, or interest deduction, both of which are taken on Schedule A. They're nice—but after all, you *do* have to get sick, or go heavily into debt, to enjoy them.

No, I'm talking about goodies like the now-deceased commodities straddle, which converted gains and losses alike into taxpayers' moneymakers. It was outlawed by the Economic Recovery Act of 1981. Or the venerable vacation home "rental" property, where people would use their mountain cabin or seashore bungalow for about half the year, then rent the thing out the rest of the year but claim rental property deductions for the *wh le* year. That one was wiped out back in 1976.

There is one, however, that the IRS has lobbied against, propagandized about, and litigated in court till they've gotten blue in the face. And the courts keep on siding with the taxpayers, slapping the tax-thieves right across the face.

The break? Interest-free loans. Here's how they work: Say you're slaving away and making pretty good money. Naturally, the harder you work and the more money you make, the more the government wants to take away from you; that is, the *higher percentage* they want to confiscate, which is fitting punishment, I'm sure we'll all agree, for working hard and being successful. On top of that, the tax system sees to it that the more money you *save*, the more you'll be penalized. After all, the more interest you earn by stashing money in banks and bonds and money market funds and so forth, the higher taxes you're going to pay as those extra dollars earned through interest push you into higher and higher tax brackets.

So what can you do? You don't want to *give* that money away. You're saving it for a purpose, such as survival. On the other hand, you *do* want the full benefit of those extra dollars working away for you, earning interest...if you can keep the tax-dogs off your back. Well then, try this: loan that extra stash out to someone you care for who isn't making so much money and thus isn't in such a high tax bracket as you.

This is usually done within a family—say, a father loans a bundle to his small, nonworking children. When they invest the money, the interest income is shifted to someone paying little or no taxes. But it can be done with anyone you care to benefit: friends, neighbors, lovers, et al.—just so you feel that you're being benefited as much by *them* making the interest as *you* would be. Thus, children and retired parents are favorites (your husband or wife won't work, since all the money made by both of you is lumped together for tax purposes).

In the meantime, when you're ready to take that money back and use it for something, you simply demand it back, since the loan is a "payback on demand" type, and everyone's happy except for the tax authorities.

This area, by the way, has been extensively litigated, usually with cases involving family-held corporations that loan out money interest-free to family members. The IRS reasons that since such a loan is interest-free, and the borrower would have had to pay interest if the loan was from any other source, then there must be invisible "income" in the form of that interest that doesn't have to be paid! They lose. Where taxpayers are careful to evidence a real loan, with a real intent and duty to pay back the principal, the courts have nowhere sided with the IRS in striking down such tax-saving methods.

Here's how is works: Say you've got a measly $15,000 in the bank or a money market fund earning interest. If it's getting only 12 percent, not even compounded, you'll be earning an extra $1,800 per year. If you're in the 40-percent bracket (making over $29,000 or so a year), then $720 is going to be taxed away, meaning you're *really* only getting $1,080 for your trouble. *However*, if you turn around and do up a demand-note with your child, parent, lover, subversive cohort, etc., (pick one) who isn't otherwise paying any taxes, the *entire* $1,800 goes to a good cause, tax-free. If you boost that $15,000 up to $50,000 or more, we're talking about some nice bucks (like several thousands saved from the tax hogs each year).

Now for the catches and caveats. In order to make this type of thing work, you cannot fool around. It's got to be a bona fide transaction, and a real loan, with a real promise to pay it back upon demand. You don't have to do up a formal writing, but it's an *extremely* good idea...just so everyone, including the IRS, knows where everyone else stands. Second, don't play around with the resulting interest and savings: it all belongs to the person who's borrowed the money, and you play games in this area at the risk of losing everything.

Third, watch out for the IRS coming in from way out in left field and saying that the *statute of limitations has run* in relation to your demand note and therefore the note can't be enforced, which means the thing turned into a "gift" when the statute ran, meaning you're going to have to pay a gift tax. This is a new tack the IRS has taken lately, because they couldn't win on any other theory. Solution: when the statute of limitations is about to run out, demand the money back, then do up a new agreement and a new demand note. Such statutes are different for each state, incidentally; in my home state of Florida the time-limitation is five years for a written instrument and four years for an oral contract/loan. So find out for yourself and play it safe.

Oh yes, if your accountant or tax specialist quails at the idea, tell him or her to look up, to mention just a few, *Albert Suttle*, 625 F.2d 1127 (4th Cir. 1980); *Colin F. Beaton*, 81-2 USTC par. 9789 (1st Cir. 1981); *William G. Martin*, 649 F.2d 1133 (5th Cir. 1981). Those are some major cases saying that such arrangements are quite okay.

So shift that money around! Lower incomes mean lower tax bites, and no one has a lower income than your six-year-old. Just make sure the little bugger signs on the dotted line.

Do you have a tax question? Mr. Condon may have the answer. Send your query along to REASON Taxes, Box 40105, Santa Barbara, CA 93103. (A limited number of reader questions can be answered in print; personal replies cannot be made.)

Tim Condon is an attorney and a tax specialist practicing in Florida.

Smart Pills Revolution

BY SANDY SHAW AND DURK PEARSON

Science fiction has had much to say about substances that people could take to make them smarter. In the past few years, several substances, including some nutrients available without a prescription, have been shown to improve some aspects of their user's cognitive performance. Some of these "smart pills" are prescription drugs that have been around for decades and have been safely used by many millions of people throughout the world for medical conditions. Beginning with this column, we will explore some of the most interesting of the extant smart pills.

The Food and Drug Amdministration (FDA) does not approve drugs for the increase of intelligence. They approve drugs only for the treatment or prevention of diseases, not for purposes of improving the normal human condition. Normal intelligence and normal aging are not diseases, and hence, there are no drugs approved for increasing intelligence or retarding aging.

Manufacturers of drugs that have the ability to increase human intelligence are forbidden by FDA edict from informing either the public or doctors of this fact. This has inhibited the investment of scarce research and development money in intelligence-increasing drugs. Nevertheless, because there are also international markets for such products, research is being done in this area.

Intelligence is a broad term referring to various types of cognitive processes—most commonly, learning and memory. Different smart pills affect different aspects of intelligence and affect them differently at high and low dose levels. There is an optimal dose level for each individual (sometimes dependent on other conditions, as well) that must be determined by the individual performing careful, systematic self-experiments. At the optimal dose, the greatest improvement in the cognitive process is obtained; at any other dose level, less improvement and possibly even a decrement is the result.

In the past few years, much has been learned about how intelligence works, that is, the underlying biochemical structure in our brains that allows us to think, remember, dream, have emotions, and so on. Even though our level of understanding is still crude, it has resulted in a recent explosion of new drugs that increase human intelligence in clinical trials and animal intelligence in experiments.

Neurotransmitters are chemicals that brain cells use to communicate with each other. As we age, the levels of many neurotransmitters decrease, and sometimes the receptor sites for these chemicals become fewer in number or less sensitive to the neurotransmitter. Acetylcholine is one of these neurotransmitters. It is used by the brain in areas that are involved in long-term planning, concentration and focus, controlling the rate of stimuli entering the brain, motor activity, learning and memory, stimuli input during sleep, sex, and other functions. It is a very primitive neurotransmitter. Frogs and even insects have it, too.

Acetylcholine is made by the brain from nutrients you get in your food (or from a dietary supplement). Choline (found in fish, for example) and lecithin (contains phosphatidyl choline) are the usual dietary starting materials from which acetylcholine supplies in the brain are derived. Deaner®, a prescription drug made by Riker Laboratories, increases brain levels of acetylcholine, but it is not known yet how it does so. All three of these—choline, lecithin, and Deaner® (or deanol)—have been shown in a number of separate human clinical trials to increase intelligence, especially in tasks involving concentration and focus.

In one double-blind study, MIT students given 3 grams of choline a day had improved memory performance: they learned longer lists of words than control students receiving a placebo (inactive substance). "Double-blind" means that neither the person administering the drug nor the students knew whether any particular subject was receiving placebo or active material. This helps to prevent expectations, hopes, and wishes from altering how people perceive the drug effects.

We invite questions of general interest from our readers. Send your query along to REASON Health & Welfare, Box 40105, Santa Barbara, CA 93103. (A limited number of reader questions can be answered in print; personal replies cannot be made.)

In another study, a single 10-gram dose of choline improved learning lists of words. Similar results were obtained in a human study in which subjects were given 80 grams of lecithin. Deaner® has been shown, in animals, to increase brain levels of acetylcholine and can be expected to have the same effects in people.

In studies in older people, Deaner® has sometimes improved memory and sometimes not. We think these inconsistent results occurred because there are non-acetylcholine-dependent memory problems and because there are nutrient factors required by the brain to convert the choline and possibly Deaner® to acetylcholine, namely vitamins B-1 and B-5. These experiments ought to be tried again, this time with supplements of these vitamins. Even in studies where there was no significant improvement in memory of older people with Deaner®, there were some reports of an improved mood and better motivation to remain active, rather than just rolling over and dying.

Possible side effects of these cholinergic (acetylcholine-increasing) substances include stiff muscles or headache, occasional fishy body odor (due to the bacterial breakdown of choline in the gut). Yogurt or fiber can often take care of the fishy smell. Reducing the dose will rapidly relieve headache or stiffness. These are *annoying*, not dangerous, side effects.

There are many over-the-counter and prescription drugs that affect cholinergic tracts in the brain. One of the most common is nicotine, which acts to stimulate certain types of cholinergic receptors. It is not widely realized that nicotine is a stimulus barrier—a substance that enhances the brain's ability to control stimulus input from the environment. We all have special filters in our brains to preview incoming data because if all the details our senses actually detect were to be made available to our conscious minds, we would be overwhelmed by a torrent of mostly unimportant data. (This effect is dramatic with LSD.)

There is a certain threshold level of stimulation to which our brains pay at-

(Continued on p. 56)

Copyright © 1982 by Sandy Shaw and Durk Pearson

SPOTLIGHT

One-Room School Master

BY PATRICK COX

John Simon was a student in the late 1960s. Caught up in the idealism of the era, he was convinced that one person can make a difference somewhere. About the time that he was taking part in the anti-DeGaulle riots in Paris—he was purportedly in Europe to do postgraduate work in literature—he read Eldridge Cleaver's *Soul on Ice* and *The Autobiography of Malcolm X.* The self-described middle-class Jewish boy was riveted by the insight he gained into the experience of poor blacks growing up in America and decided that he should return and do something about it.

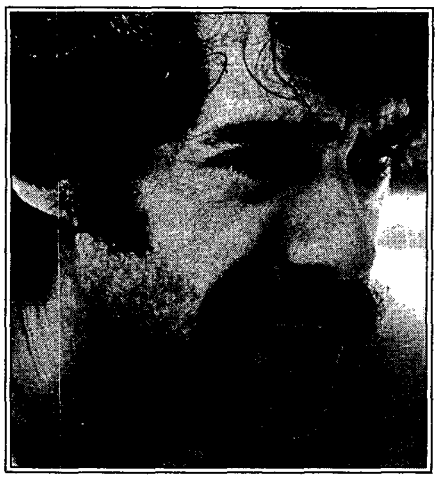
No more unlikely person could have walked into the slums of New York in 1970 to help the most incorrigible problem kids of the city. The children he targeted to help were chronic juvenile criminals with drug and alcohol problems, almost all illiterate. On the other hand, Simon says, "My childhood was filled with Little League and Boy Scouts, good grades and unrequited crushes. I never threw a punch in anger, and the only place I showed signs of aggressiveness was in the classroom, where harassed teachers were forced constantly to remind me not to wave my hand in their face."

He began to work as a volunteer in an Upper West Side youth center and was pleased to see kids who had been given up by the school system responding to his attention. He took to tutoring teenagers who wanted to read and then began looking into their family lives.

Simon was eventually made aware of a welfare scam that was destroying the lives of the kids he had begun to care about. In a city where onerous taxes and absurd rent control laws had destroyed much available housing, well-connected landowners were making a bundle off of "welfare hotels"—actually hovels—exempted from rent controls, and supported from the city's housing fund. Simon's efforts to help community members to take over management of their own abandoned buildings helped to establish the community's trust in him.

One day, late in January 1973, he went to complain to the principal of the school where several of the kids he worked with at the youth center were failing to learn. The principal explained that no one wants to work with kids who are potentially violent and almost always truant in their classrooms. Simon protested, and the administrator told him to put up or shut up.

Simon decided to put up and was hired (at $5,000 a year) to teach a small group of unwanted pupils, even though he had no teacher's credentials. He insisted on a few ground rules, including the right to



JOHN SIMON

set his own guidelines and to hold classes away from the main school. Soon he had a classroom in an unused portion of a church building and set about learning how to help kids who were truant more than present and often stoned if they did come to school.

Simon's strategy in working with his kids, poor and mostly minorities, was to put up with just about anything if he could get them to do *some* serious study. His students, junior high school age, started to respond. Sitting around in an unregimented, unglamorous room, filled with used overstuffed furniture, the incorrigibles began to develop interests in books and even math.

But it would be a mistake to envision an idyllic scene with ex-junkies turning into scholars. Many of the kids continued in their pursuits of criminal and chemical thrills. Fights broke out every day. Simon himself was attacked by a youth with a knife, and an axe murder was once only narrowly averted. The kids were adept at pushing him to his limits.

Simon told REASON that the major difference between his approach and the public school approach was a matter of choice. He does not force anybody to go to his classes, and the options within the classroom are much clearer than in public schools. There are no orderly rows of square desks; kids can get up and move to another area whenever they feel like it; and if a student feels like working on his math all day, Simon doesn't force a book on him.

The young self-educated educator has slowly built up a reputation of success. He estimates that 85 percent of the students who participate in his program go on to graduate from high school, compared to about 30 percent of those in the same category who do not receive the attention and benefit of Simon's methods. His students, on the average, jump more than two years in performance on the standardized tests that New York City schools give every year. And his accomplishments come at incredible savings. For the '80-'81 year, his cost per pupil was under $3,000, compared to the Board of Education's figure of over $8,000. Over half of the $3,000 per pupil comes from private sources. In fact, it has been private contributions that have kept his program alive. A particularly important grant came from the John Hay Whitney Foundation early in the school's life, when they gave him support to write the book *To Become Somebody* (Houghton Mifflin, 1982) about his experience.

Today, there are three spin-offs of his original school with over 100 students. After initial problems they are all doing well, and their examples have apparently changed the thinking of many public educators.

And what has become of the fiery-eyed idealist who walked into New York to change the injustices of society? Well, his criticism of the school system is not so vehement lately, and with the respect he is getting from the educational establishment has come a willingness on his part to work with the system. An observer can only hope that he is not co-opted by the machinery of government schools. But no matter what happens in the future, John Simon as an individual has done what the entire bureaucracy of the New York City school system could not.

Patrick Cox is a free-lance writer.

Photograph by Gray W. Stuart

arts & letters

MOVIES

Reviewed by John Hospers

Diner

It took some courage to produce *Diner*, knowing that it would never attract a large audience. There isn't much action, but the characterizations are finely drawn and the acting superb.

From their high school years, the boys have congregated in the local diner (Baltimore) to reminisce about past escapades and plan new conquests with assorted girl friends. The years pass; it is now 1959; two of them marry, but even so they return regularly, spouseless, to the diner. Nothing has turned out as planned. "Before we got married, all we did was figure out where we could go to make out. After we were married, there wasn't that much to it any more. She was there for the taking any time. And we couldn't find five minutes' worth of things to talk about." And so they return to the diner, reminiscing about past events that didn't seem very extraordinary at the time, and wondering whether what they are experiencing now is all that life is ever going to offer them.

There are many funny moments, but the film is really very sad. Each person in his own way feels trapped, trying to hide it with gallows humor. What does the future hold for the less-talented working-class poor? the picture seems to ask. What is there worth going on for, when promised bliss has turned to ashes? Life cheats you, and then it just goes on. The film is remarkable for its total honesty. It is a kind of unadorned slice of life, but it rings so true as to shame most other films (including its model, *American Graffiti*) by comparison. The tawdriness of the background, the spiritual poverty, the desperate inchoate search for what is never found—these are delineated with such a sense for fine detail that in the end watching the film becomes a curiously moving experience.

The old gang returns to the Diner *to reminisce*

Firefox

Imagine that you are Clint Eastwood, a known champion of individual rights and liberty. You realize that most Americans know nothing about conditions inside the Soviet Union; they haven't read Solzhenitsyn's *Gulag* or John Barron's *KGB* or any of the numerous books written by Soviet defectors. The media are still blasting Nazi Germany, 35 years gone, meanwhile giving in to disinformation about the Soviet Union (see Robert Moss, *Death Beam* and *The Spike*). Most of Hollywood has a soft spot in its heart for any "people's republic"; anti-Soviet books are routinely rejected as material for films. So, how do you use the most powerful and pervasive of art media to get millions of viewers to see what life is like behind the Iron Curtain? You direct and star in a film—*Firefox*—in which, at long last, the Soviet Union is the target, knowing that it will be panned for that very reason.

Clint Eastwood as undercover agent in Firefox

You have reached the point in your career when you can afford to thumb your nose at the rest of the movie industry. Meanwhile, the critics respond as predicted. They pan it because it hs "no love interest" (that would have been an utter superfluity in this film). They pan it because Eastwood doesn't speak Russian very well (he doesn't) and because some of the dialogue is a bit hard to understand (true). They pan it because it doesn't have the eye-splitting special effects of *Star Wars* (it has special effects aplenty, but happily, it's not another *Star Wars*).

On the whole, this is an informative and exciting film. The air-chase scenes at the end are superbly done, but though these are what draw most viewers into the theater, they are not the most distinctive feature of the film: its main virtue is that it gives us the feel of what it is to live in a police state. There is just one brief scene of torture, as a hint; the rest is done by implication. There is the ever-present KGB, always tailing you, stopping you unpredictably, instilling fear and terror; there is the numbing sense of helplessness in the face of the omnipresent surveillance; and there are the people who knowingly give their lives for the success of the mission, fully aware of what rides on it. "Aren't you angry at the men who sealed your death in this operation?" Eastwood asks an elderly Jew in the underground. "You live in a free country," the man says, "it's hard for you to understand. I am not angry at those who planned this operation; my whole anger is reserved for those who made the mission necessary, the KGB." To date, no one in America or abroad has had the courage to make a film on this subject half as hard-hitting as this one.

John Hospers teaches philosophy at the University of Southern California. His recent books are Understanding the Arts *and* Human Conduct *(2nd ed.).*

BOOKS

Good Philosophy Made Simple

The Freedom Principle.
By Lansing Pollock.
New York: Prometheus Books.
1981. 130 pp. $14.95.

Reviewed by Douglas J. Den Uyl

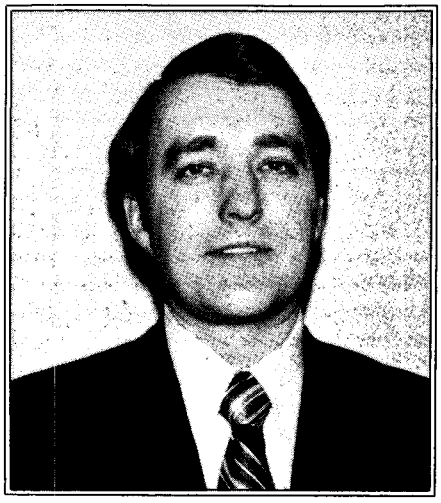
I am always pleased to see books like *The Freedom Principle* by Lansing Pollock come on the market. I say this not simply because it advocates principles with which I generally agree, but because books on moral and political theory written for the intelligent lay reader are relatively rare. My delight is further intensified when I discover an effort that succeeds.

Most of us in academia teach students of normal intelligence without much background in philosophy or political theory. We also often have friends and family members who are interested in philosophies promoting individual liberty, but who will not plow through scholarly works full of technical jargon. It is therefore helpful to have something to hand these people that is serious and readable while not presupposing any philosophical training. With these criteria in mind, I recommend this book without reservation, even though I may disagree with some of Pollock's arguments.

Pollock claims (unfortunately, at the end of the book rather than at the beginning, where it belongs) that he is writing a book "that can be understood by persons with no formal training in philosophy." Nevertheless, what philosophers *think* is intelligible to the lay reader and what actually *is* intelligible are not always the same. The only way to test Pollock's claim was to give it to some lay readers and see what they thought. I did just that with some of my students.

These were students who fit the picture described above and who were also "middle of the road" politically. Not only did these students have no trouble understanding and appreciating what was being said, but they were uniformly impressed by the logic of the argument. Pollock succeeds in showing how a moral principle ("the freedom principle") is something that many would accept on the face of it and yet not realize all its implications. I was thus happy to see the book "open the eyes" of students about the logic of freedom. And I intend to continue recommending the book to my students.

The first chapter of the book offers an account of the freedom principle ("each person ought to grant other persons an equal right to be free") in terms of autonomy. Persons are autonomous in the sense that they are capable of acting according to their own conceptions of value and of making long-range plans. Our equal autonomy is the basis for our equal right to freedom. In connection with these basic concepts, Pollock discusses such related issues as duty, obligations to aid others, equality, and utilitarianism. In these discussions the freedom principle takes on the status of a categorical imperative, thus giving the right to freedom a deontological character.



Lansing Pollock

For the most part I have no objections to the foundational discussions of this first chapter. Nevertheless, someone might object that Pollock does not spend time justifying the freedom principle itself. Rather, he simply begins with it and explores its meaning and implications. I am not bothered by this objection, since I think the book works much better without a lot of metaphysical or metaethical baggage. Given the purposes of this book, I therefore find the relative lack of metaethics a virtue rather than a vice.

After the first chapter there are six others concerning the topics of paternalism, punishment, property, government, utopia, and morality. I had numerous points of disagreement with specific proposals Pollock offers. For example, he asserts that it does not violate the freedom principle for someone's wife to have the court commit him to an institution because of his heroin habit. Moreover, Pollock seems to suppose there will be public parks and public roads in a free society.

But I try to keep the purpose of the book continually in mind. Thus these kinds of objections seem minor to me. Indeed, what is valuable about the book, whether or not one likes all of Pollock's conclusions, is that most of the major areas of controversy are at least touched on in the various chapters. Not only do the discussions cause the unsophisticated reader to think about issues, but there is enough substance in the chapters to cause those of us who are "more sophisticated" to think again about these issues, especially if we find ourselves disagreeing.

Pollock's chapter on property was the least successful. Apart from the fact that he seems to believe there will be sizable holdings of public (government) property in a nonstatist, free society, his main problem stems from an unargued bias in favor of a Lockean conception of natural resources (things valuable for human beings but not produced by them)—that is, resources are conceived to be a common trust. This view leads Pollock to advocate a "resource tax" whereby those who have access to the resources will have to compensate those who do not and thus whose "freedom is diminished."

This modern-day version of Henry George's "single tax" may be more than a minor point of contention of the type mentioned above. When it comes to resources, I have never been much impressed by worries over "Lockean Provisos" and what will happen to others who did not have the entrepreneurial foresight to "get there first." But this is a large issue that cannot be debated here.

Another large issue is Pollock's claim that the government can justifiably take measures to protect the "rights" of future generations—rights that Pollock *asserts* are there rather than argues for. It is thus the weakest link in the logical chain emanating from the freedom principle.

The urge to talk about pollution, original acquisition, taxation, etc., in a chapter on property is quite understandable. Yet the chapter would have been more acceptable if Pollock had devoted his energies to discussing the objections to private property per se. This would have firmly established the logical connection between freedom and private property—which still seems to me to be

the major philosophical issue, especially if one indicates that the kinds of nominal ownership systems employed by most "welfare" states today are not systems of private property.

But I do not want to end on a negative note, for the book does not deserve it. Even the chapter on property raises a number of other important issues and handles them correctly. For anyone interested in contemplating the moral foundations of a "free society," this book serves as an excellent introduction to principles of freedom.

Douglas Den Uyl teaches philosophy at Bellarmine College in Louisville, Kentucky.

Safe, Secure . . . and Stagnant

The No-Risk Society.
By Yair Aharoni.
Chatham, N.J.: Chatham House.
1981. 228 pp. $25.00/$12.95.

Reviewed by Jack Kirwan

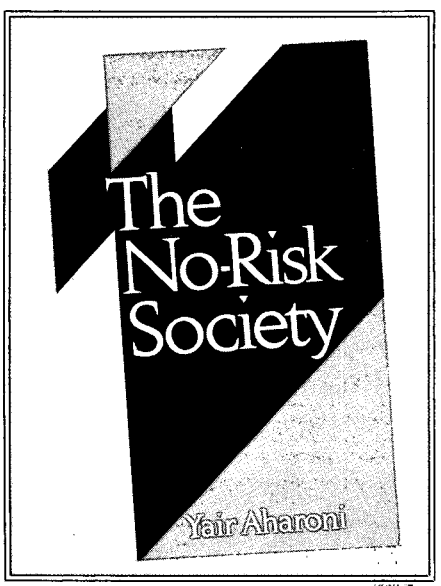
Webster's Third International Dictionary gives two synonyms for *risk.* The first is *danger* and the second is *venture.* It is no accident that the *danger* material is almost three times longer than the *venture* part, for this reflects our current social perspective.

Risk taking is encouraged and approved of in vigorous, growing societies. When Horace Greeley advised, "Go West, young man," he didn't add anything about pensions or guarantees—or about Arrowcare in case of Indian attack. However, in a stagnant or declining culture, the risk taker is something else again. Not only is he considered a danger to himself (keep off those cliffs, sonny) but he's a menace to public order and stability as well.

The big difference, of course, is that in the livelier society, the risk taker is focusing on the possibility of success. In the other, the probability of failure is the overriding concern. It is with such questions in mind that Yair Aharoni, who teaches business policy at Tel Aviv University, has written *The No-Risk Society.*

It is a book of jumbled values. Aharoni is a long way from being an uncompromising advocate of the free market: "By now," he writes, "we all recognize that perfect competition cannot exist in practice and a capitalist economy must be a mixed one." However, this doesn't mean he sees safety and predictability as the only virtues or that he wants to turn the marketplace into a well-padded cell. "Governmental involvement creates dependency and dependent people are not free. . . . Dependency creates a dynamic demand for more government intervention; if the public pays the bills, the government feels entitled to tell the individual how to behave. . . ." Actually, the whole book provides a detailed look at the tension between the desire for security versus the danger of stagnation. And it makes for very interesting reading.

For one thing, Professor Aharoni writes very well. He has the happy knack of putting a lot of theory into a few words. He writes that "the more government protects the individual against risks, the more it feels entitled to restrict individual choice. Societal assumption of risk means not only the coverage of benefits but also concern to reduce the size of payments through added safety. An individual who suffers injury through neglecting the use of a safety device should not be allowed to receive indemnity, or his insurance costs should be increased. But if that individual is eligible for health or disability insurance, many would claim that he still should be compelled to be cautious, since it is society



that covers the cost. . . . In this way, expanded social insurance reduces freedom. It also reduces the incentive to be cautious."

There are basically two different types who take risks: those for whom risks are an unpleasant, but necessary, means to an end and those who enjoy riskiness for its own sake. In 1898, for example, almost all the Klondike gold hunters loathed the extremely unpleasant and dangerous overland trip to the mining country of the Yukon (given their druthers, they would have preferred a comfortable train to climbing the Chilkoot Pass any day). At the same time, however, sportsmen in Europe were taking trains to the Alps specifically to risk their lives climbing far more dangerous mountains. Except for first ascents, the summits were not really their goal. Their purpose was the rewarding risk involved in getting to the top.

Either way, back then, those who wanted no part of such things just sat back and let the crazies risk their fool necks. Not so today. As Aharoni shows again and again, we have progressed to the point where there is no end to volunteer and professional eagerness to protect us from ourselves. The anti-growth neo-Luddite movement is intimately connected with the no-risk mindset.

The No-Risk Society is a thorough, well-documented study. Aharoni presents the problem well enough but is short on solutions. "To live in an interdependent world," he writes in the last sentence of the book, "a moderate balance must be struck between private rights and social obligations, between individual freedom and societal restraint." It will have to be another book that builds on Aharoni's work with an emphasis on individual freedom.

Jack Kirwan is assistant editor of The Energy Journal.

Political Pollution

Clean Coal/Dirty Air
By Bruce A. Ackerman and William T. Hassler.
New Haven: Yale University Press.
1981. 193 pp. $5.95 paper.

Reviewed by David T. Fractor

In 1970, the Environmental Protection Agency (EPA) was created to administer all important federal environmental programs. The event was applauded by most individuals who value a clean environment. While it is true that the EPA had no internal mechanism that would force it to look at the costs and benefits of its actions—so that it would then support only those proposals where benefits exceeded costs—it was believed that its actions would at least enhance the quality of the environment. The one

thing we would not expect is that the EPA would intentionally propose regulations that would not only be costly but would also lead to an increase in pollution.

In fact, this is precisely what the EPA has done in its regulation of coal-fired power plants. This sorry episode in the administration of environmental law is elegantly detailed in an excellent book, *Clean Coal/Dirty Air.* Written by a law professor and a former law student at Yale University, the book paints a picture of blatant regional protectionism and an agency so oblivious to reality that it treated pollution regulation as an engineering problem, completely ignoring both the costs and the environmental effects of its actions.

The story centers on Section 111 of the 1970 Clean Air Act, amended in 1977, which is aimed at controlling sulfur dioxide (SO_2) emissions from new sources. In addition to instructing the EPA to set maximum emission levels of SO_2, Section 111 requires the establishment of the "best available technology" to achieve these standards.

There are three technically acceptable ways to reduce SO_2 emissions from coal-burning power plants. The first is simply to burn coal with a lower sulfur content. The second is to crush the coal and wash it before it is burned, a rather primitive technique that reduces SO_2 emissions by, at most, 40 percent. The third method is gas scrubbing, which involves attaching a 70-foot test tube to the smokestack of the offending plant. This technique produces a chemical reaction that reduces SO_2 emissions by as much as 90 percent. Scrubbing, however, is very expensive and requires constant monitoring by highly trained personnel. Even though scrubbing is the most costly method of limiting the pollution emitted from coal-fired plants, the EPA decided to require scrubbers on all new power plants.

Given the opportunity to choose their own methods for meeting the EPA's emission control standards, many plants would switch from high-sulfur to somewhat more expensive low-sulfur coal. Some might decide to wash the coal, although this method used alone only cuts emissions by 40 percent. Few, however, would install a scrubber, which costs an average of $56 million, thereby increasing construction costs by 15 percent. Given the relative costs and operating efficiency of each method, then, it is likely that plants would opt for a combination of low-sulfur coal and washing—a relatively low-cost method that guarantees adequate emission control.

Examining political considerations is the only way to make sense of EPA's decision to deny individual plants the freedom to choose the most cost-efficient method for meeting the emission standards. Central to such an examination is the realization that almost all low-sulfur coal is found west of the Mississippi and most of the high-sulfur coal is found in the East. Given that the Senate Democratic leader and the chairmen of both the Senate and the House committees that authorize EPA's funding are from West Virginia, a leading high-sulfur coal producing state, and that the United Mine Workers (UMW) organize almost exclusively in the East, it is not surprising that mandatory scrubbing gained strong support. Support also came from environmental groups, who saw it as a way to get power plants in the West—which already burned low-sulfur coal—to reduce their emissions even further.

That the EPA has instituted an economically costly program is not surprising. What is startling is that the agency is supporting a program that will actually lead to an *increase* in SO_2 emissions in some of the dirtiest parts of the country. As Bruce Ackerman and William Hassler point out, since the stringent regulations apply only to new power plants, utilities will keep their old plants operating longer and delay building new, environmentally safe—but incredibly expensive—ones. The Clean Air Act allows the old plants to maintain far higher emission levels than new plants. So, as the old plants continue to operate in an economically rational but environmentally hazardous manner, SO_2 emissions will actually increase. What we have, then, is environmental legislation that causes an increase in pollution!

Clean Coal/Dirty Air is a well-written and well-documented examination of one of the most environmentally destructive bureaucratic travesties of the last 10 years. It also reminds us that putting environmental controls in the hands of the federal government is not always best for society. Except for chapter 7, which examines agency-forcing legislation and the courts, the book can be easily understood by the nonspecialist.

Book Hints

a selective mention of books received

Logrolling, backscratching, and bargaining among special interests have for so long characterized our political scene that any underlying principles of government seem almost totally obscure. Rick Maybury, following the initiative of Robert Ringer's *Restoring the American Dream,* has attempted to resurrect the principles of individual liberty and limited government in *Common Sense for the 1980s* (Lansing, Mich.: Jefferson Publishing, 1981, 203 pp., n.p.). Written with a mass audience in mind, the book provides a personal and impassioned plea for essentially libertarian principles.

On a more scholarly note, the Social Affairs Unit, a research and educational group in England, has recently published three diverse studies criticizing the welfare state with a focus on Great Britain: *Criminal Welfare on Trial,* by Colin Brewer, et al.; *Breaking the Spell of the Welfare State,* by Digby Anderson, et al.; and *The Pied Pipers of Education,* by Antony Flew, et al. (London, 1981). Each of the studies analyzes the practical outcomes of government attempts at social engineering in the fields of criminal rehabilitation, social welfare, and education.

Looking at a different set of problems, but equally scholarly, is Edward Walter's *The Immorality of Limiting Growth* (Albany, N.Y.: State University of New York Press, 1981, $37.50, $10.95 paper), in which Walter invokes principles of classical liberalism to challenge the arguments of the "no-growth futurists." Another sort of challenge emerges in *Abuse of Trust: A Report on Ralph Nader's Network* (Chicago: Regnery/Gateway, 1982, 272 pp., $12.95) by Dan Burt. Burt has produced an incisive criticism of Ralph Nader and his "public interest" organizations.

Ending on a practical note, those interested in understanding the complexities of the federal budgetary process will find a comprehensive yet very readable tool in Stanley E. Collender's *The Guide to the Federal Budget* (Washington, D.C.: Northeast-Midwest Institute, 1982, 163 pp., $8.00 paper). Collender also publishes a semimonthly newsletter on congressional budget activities, the *Federal Budget Report,* that may help untangle all the bits and pieces of news reaching us about the current budget debates. Another thorough analysis of the budget is provided by the Institute for Contemporary Studies in *The Federal Budget: Economics and Politics,* edited by Michael J. Boskin and Aaron Wildavsky (San Francisco: Institute for Contemporary Studies, 1982, 411 pp., $8.95 paper).

—L. S.

We can only hope that episodes as blatant as this one do not happen again. In the absence of significant institutional change, however, we cannot be so optimistic.

David T. Fractor is a research assistant at the Center for Political Economy and Natural Resources at Montana State University.

Mismanaging the Commons

Locking Up the Range: Federal Land Controls and Grazing.
By Gary D. Libecap.
Cambridge, Mass.: Ballinger Publishing and the Pacific Institute. 1981.
109 pp. $17.50/$8.95.

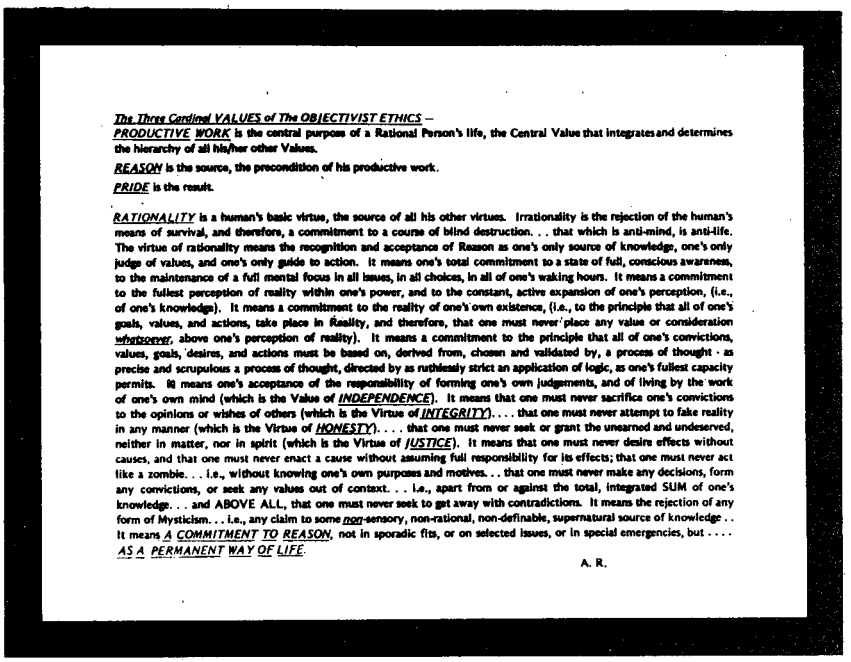
Reviewed by Terry L. Anderson

The "Sagebrush Rebellion" came to a sudden end when President Reagan appointed James Watt as secretary of the Interior Department. The movement lost support primarily because its proponents believed that, with the "right man" in office, decisions regarding public lands would be improved. Unfortunately, most people do not realize that it is not the person in office but rather the institutions that in large part dictate the allocation results.

In *Locking Up the Range*, Gary Libecap makes it very clear that resource allocation on federal lands is a function of the institutional structure. Professor Libecap outlines the history of federal grazing policy and the impacts that policy has had on the western range. We find that livestock associations developed an informal property rights structure that served to mitigate the "tragedy of the commons," but the antifencing campaign by the General Land Office after 1900 effectively nullified these informal private property arrangements and contributed to the deterioration of the range.

The struggle for control of federal grazing lands eventually was won by the Department of the Interior in 1947. Bureaucrats involved in the struggle, however, found themselves in a game that did little to improve range quality but much to determine budgets and power. Libecap documents how budgets of the Bureau of Land Management have grown and how special interest groups have used their lobbying power to influence land policy. While many individuals call for more bureaucratic controls to remedy grazing problems, Libecap's

AYN RAND'S OBJECTIVIST ETHICS


The Three Cardinal VALUES of The OBJECTIVIST ETHICS –
PRODUCTIVE WORK is the central purpose of a Rational Person's life, the Central Value that integrates and determines the hierarchy of all his/her other Values.
REASON is the source, the precondition of his productive work.
PRIDE is the result.
RATIONALITY is a human's basic virtue, the source of all his other virtues. Irrationality is the rejection of the human's means of survival, and therefore, a commitment to a course of blind destruction. . . that which is anti-mind, is anti-life. The virtue of rationality means the recognition and acceptance of Reason as one's only source of knowledge, one's only judge of values, and one's only guide to action. It means one's total commitment to a state of full, conscious awareness, to the maintenance of a full mental focus in all issues, in all choices, in all of one's waking hours. It means a commitment to the fullest perception of reality within one's power, and to the constant, active expansion of one's perception, (i.e., of one's knowledge). It means a commitment to the reality of one's own existence, (i.e., to the principle that all of one's goals, values, and actions, take place in Reality, and therefore, that one must never place any value or consideration whatsoever, above one's perception of reality). It means a commitment to the principle that all of one's convictions, values, goals, desires, and actions must be based on, derived from, chosen and validated by, a process of thought - as precise and scrupulous a process of thought, directed by as ruthlessly strict an application of logic, as one's fullest capacity permits. It means one's acceptance of the responsibility of forming one's own judgments, and of living by the work of one's own mind (which is the Value of INDEPENDENCE). It means that one must never sacrifice one's convictions to the opinions or wishes of others (which is the Virtue of INTEGRITY). . . . that one must never attempt to fake reality in any manner (which is the Virtue of HONESTY). . . . that one must never seek or grant the unearned and undeserved, neither in matter, nor in spirit (which is the Virtue of JUSTICE). It means that one must never desire effects without causes, and that one must never enact a cause without assuming full responsibility for its effects; that one must never act like a zombie. . . i.e., without knowing one's own purposes and motives. . . that one must never make any decisions, form any convictions, or seek any values out of context. . . i.e., apart from or against the total, integrated SUM of one's knowledge. . . and ABOVE ALL, that one must never seek to get away with contradictions. It means the rejection of any form of Mysticism. . . i.e., any claim to some non-sensory, non-rational, non-definable, supernatural source of knowledge. . . It means A COMMITMENT TO REASON, not in sporadic fits, or on selected issues, or in special emergencies, but . . . . AS A PERMANENT WAY OF LIFE.
A. R.

BEAUTY BRILLIANCE BRASS

A Plaque can be a Treasured and Lasting Gift. Especially for someone important to you. These Plaques are hand-crafted in Gleaming Brass, on a Quality Wood Base. A built-in Easel allows you to *hang it* on the wall, or *stand it* on your desk or mantel. (highlighted text in color) A fine Lacquer Coat means the brass NEVER NEEDS POLISHING!

ORDER NOW!!

Impressive 10" X 13" OVERALL

These Rand treasures are being offered exclusively through REASON magazine. For every Two Rand plaques ordered within the next two weeks, I will include *FREE* . . . a quality 5¾" X 3¼" Brass Plaque of $7.95 value, one you will be proud to keep, or give as a gift.

Satisfaction always . . . simply return postpaid in original packing within ten days for refund.

YES! I WISH TO TAKE ADVANTAGE OF THIS EXCLUSIVE OFFER . . .
Enclosed is my CHEQUE MONEY ORDER
_____ @ $24.95 = _____
Ca. residents please add 6% _____
Add $1.50/ea. Postage/Handling _____
TOTAL = _____

Name _____
Street _____
City/State/Zip _____

Mail TODAY to: Brilliance in Brass, P.O. Box 26896, San Diego, Ca. 92126
(allow 2-4 weeks for delivery)

study concludes "that bureaucratic management is a costly and inefficient substitute for private property rights."

Though *Locking Up the Range* highlights the problems of federal grazing policy, it fails to emphasize the fact that private groups were effectively establishing private property rights without federal government intervention. To be sure, it is important that we ask how stable the cattlemen's associations would have been in the light of population pressure and growing resource demands. It is clear from Libecap's work, however, that the alternative certainly has not provided stable policy, improved efficiency, or enhanced individual freedom. The cattlemen, miners, and other voluntary groups of settlers were a part of the spontaneous order in the "not so wild, wild West."

This book should be read by all students of natural resource policy and bureaucratic bungling. When combined with other works sponsored by the Pacific Institute for Public Policy Research and with *Bureaucracy vs. Environment* (see review in REASON, May 1982), *Locking Up the Range* helps provide the basis for a new resource economics paradigm that could help shift natural resource policy toward the free-market alternative.

Terry Anderson teaches economics at Montana State University.

HEALTH & WELFARE

(Continued from p. 49)

tention; this differs from individual to individual. In animal studies, nicotine increases the response to electrical stimulation set at just above the threshold in those animals who respond at a low rate and decreases the response in those animals who respond at a high rate, thereby acting as a modulator of sensory input. In overstimulating environments that are commonly found in modern cities, it is not surprising that many people use nicotine to help them cope. If you do smoke tobacco, though, we suggest you try choline as a much safer replacement.

In future columns, we will be telling you about other smart pills that you can buy right now to increase your intelligence. We will also give you a little preview of some astounding new smart pills that are not yet available but that hold out the promise of even more remarkable increases in human intelligence. The world will never be the same!

A list of scientific literature on this topic is available through REASON. Send a stamped, self-addressed envelope and ask for H&W references, September.

Durk Pearson and Sandy Shaw are consulting scientists and authors. Their book, Life Extension, *was recently published by Warner Books.*

LETTERS

(Continued from p. 11)

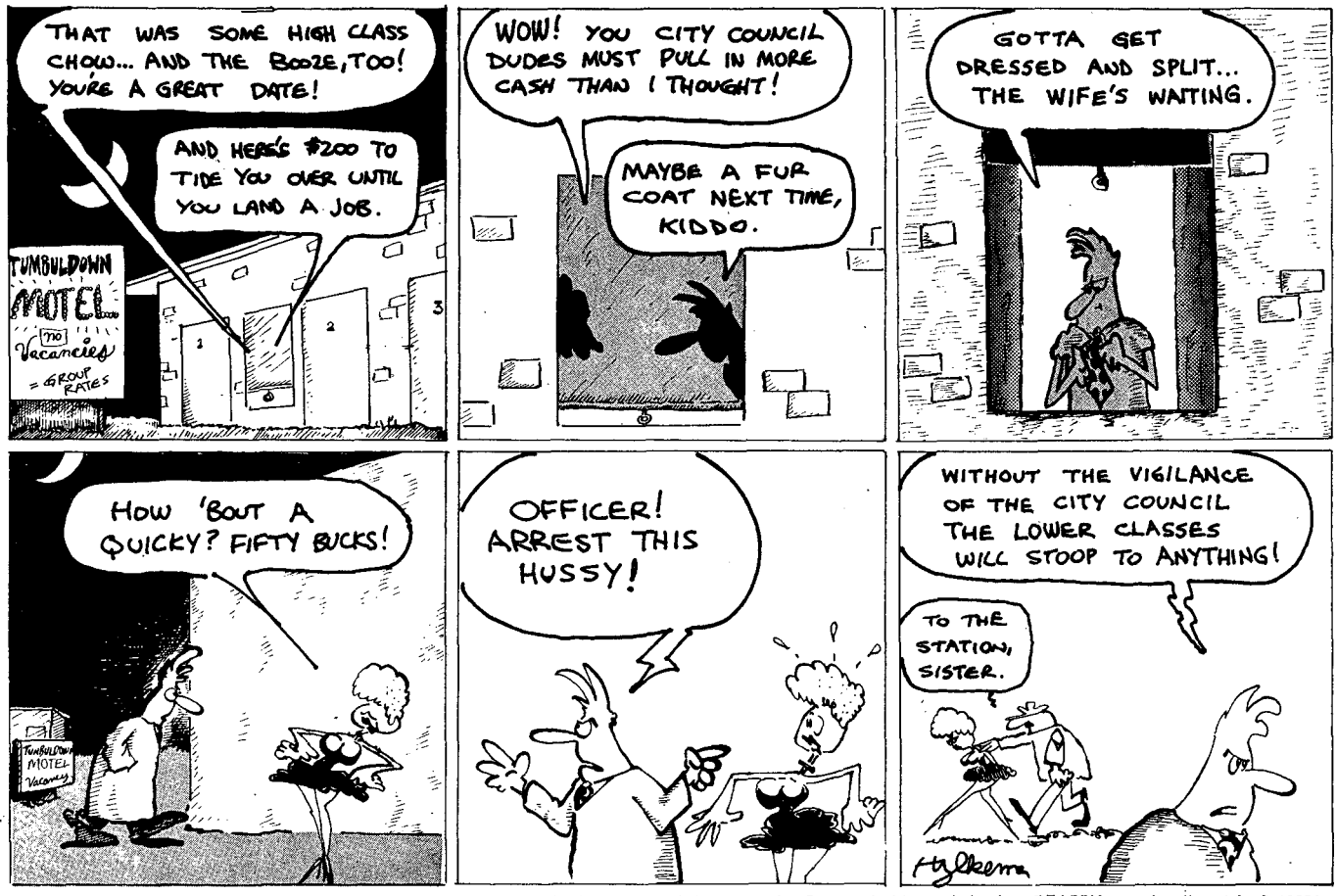
pared to a female in the adjoining office being a secretary, you had better believe there would be a disparity in pay, even if both did precisely the same job.

Many secretaries carry a great deal of responsibility, and many not only enjoy that type of work but have proven themselves to be invaluable to a company.

Patricia C. McAbee
South Boston, VA

rudebarbs

RANDALL K. HYLKEMA


THAT WAS SOME HIGH CLASS CHOW... AND THE BOOZE, TOO! YOU'RE A GREAT DATE!
AND HERE'S $200 TO TIDE YOU OVER UNTIL YOU LAND A JOB.
TUMBLEDOWN MOTEL
VACANCIES
= GROUP RATES
WOW! YOU CITY COUNCIL DUDES MUST PULL IN MORE CASH THAN I THOUGHT!
MAYBE A FUR COAT NEXT TIME, KIDDO.
GOTTA GET DRESSED AND SPLIT... THE WIFE'S WAITING.
HOW 'BOUT A QUICKY? FIFTY BUCKS!
OFFICER! ARREST THIS HUSSY!
WITHOUT THE VIGILANCE OF THE CITY COUNCIL THE LOWER CLASSES WILL STOOP TO ANYTHING!
TO THE STATION, SISTER.
Hylkema

Permission to reprint this cartoon in periodicals is hereby granted, provided it is accompanied by this notice: Reprinted with permission from REASON magazine. Copyright © 1982 by the Reason Foundation, Box 40105, Santa Barbara, CA 93103. $19.50/year.

"The LIBERTARIAN FORUM reminds me of something H. L. Mencken would have written — lyrical, delightfully stubborn, satisfyingly doctrinaire, and joyously libertarian." — **Sheldon Richman,** Director of Research, Council for a Competitive Economy, and Vice Chairman of the National Libertarian Party

Karl Hess, editor of SURVIVAL TOMORROW, says "The LIBERTARIAN FORUM is one of the best things in the movement. Murray Rothbard, the Curmudgeon, offers free-wheeling, free-thinking criticisms of the many things that badly need it."

Leonard Liggio, President of the Institute for Humane Studies, says "Since 1969, the LIBERTARIAN FORUM has provided Murray Rothbard's incisive and controversial comments on the affairs of America and the world."

Mark Skousen, noted financial author and editor, calls Murray Rothbard, the FORUM's editor, "The greatest economist living today."

Dr. Walter Block, author of "Defending the Undefendable," calls the LIBERTARIAN FORUM "my favorite periodical, barring none."

Daniel Rosenthal, editor of the SILVER & GOLD REPORT, says "Rothbard's comments created a storm of controversy among our subscribers. But, as events unfolded almost in lock-step with his forecasts, Rothbard earned the grudging admiration of many former skeptics."

And **Alicia Clark,** National Chair of the Libertarian Party, says "I read it with great interest from beginning to end."

A big, welcome change for libertarians

A major ideological news and opinion vacuum is being filled. Until recently, virtually everything being written by libertarians was "outreach" — it ignored movement concerns and movement ideology.

Now, at last, the leading "inreach" publication — by and for libertarians all across the spectrum — has been radically expanded and professionalized to fill that vacuum.

The publication is the LIBERTARIAN FORUM. Murray Rothbard, its editor, continues to send off sparks, make enemies right and left, win hearts, and tickle funny bones, as he analyzes politics, economics, the "real world," the libertarian movement, and the culture of our day.

Mr. First Nighter is back with a regular column reviewing books and movies. He lashes out at the avant-garde and the pretentious while championing classical values and aesthetic excellence.

The greatly feared (and much beloved) Old Curmudgeon has come out of retirement to expose the inanities of the villains and wierdos of the movement.

And, on the political/economic front, Murray's ongoing series, "Are We Being Beastly to the Gipper?", slashes through the buncombe emanating from D.C. Murray goes for the jugular, but is hilarious at the same time. You'll think Mencken is back at his typewritter again.

Murray in your mailbox every month — only $15, satisfaction guaranteed.

Frankly, in the past, subscribing to the LIBERTARIAN FORUM has been an act of faith. The publication gave a new meaning first to "monthly" and then to "bi-monthly."

Now, however, this problem is solved. The LIBERTARIAN FORUM has secured the services of two real, honest-to-God publishing professionals and long-time dedicated libertarians. Now, subscriptions really get processed — even promptly. Changes of address are recorded in 2 days rather than 2 years.

And, best of all, the FORUM is being published regularly. When you subscribe, you get a monthly magazine, on top of the news, on top of events, and always lashing out uncompromisingly at the many enemies of liberty.

Subscription rates are not stratospheric under the new regime of rational capitalism. They are $15 per year (12 issues), and $27 for two years (a $3 savings). Unconditional 30-day money-back guarantee.

THE LIBERTARIAN FORUM
P.O. Box 504, Newtown, CT 06470

☐ 2 year (24 issues) subscription $27.00 (save $3.00)
☐ 1 year (12 issues) subscription $15.00

All foreign subscriptions, payment in U.S. dollars only. Overseas subscriptions, please add $10.00 for extra postage (per year). Unconditional 30-day money-back guarantee.

Name _____

Street _____

City _____ State _____ Zip _____

CLASSIFIED

BOOKS

AYN RAND FIRST EDITIONS, other authors of libertarian interest including Mencken, Hazlitt, Nock, plus books on atheism, anarchism, and capitalism. Catalog issued in August. Dunn's Libertarian Books, 251 Baldwin Ave., Meriden, CT 06450.

THE ORIGINAL MONEY MAKING GUIDE using everyday procedures. $3.00 or free details. Carr, 202 Hillside Ave., Mt. Vernon, NY 10553.

WILL PAY TOP DOLLAR for first editions of any works by Ayn Rand. Paul Grant, 12477 W. Cedar, #106, Lakewood, CO 80228; 303/989-3408 (0).

THE POLITICAL APPROACH WON'T WORK. Read why in *How Not to Fight for Political Freedom—A Libertarian Dissent* by Frank Shephard. $2.95 pp. Lion Enterprises, RR 3, Box 127, Walkerton, IN 46574.

SCHOLARLY BOOKLET CONCLUSIVELY PROVES Flavius Josephus created Jesus, Gospels. $3.00—Vector, Box 6215-B, Bellevue, WA 98007.

FINDING HAPPINESS! The ultimate self-improvement course with fantastic results. Information, $1.00; course, $14.95. Phoenix Institute, P.O. Box 2053, Chapel Hill, NC 27514.

UNUSUAL BOOKS. Fake ID, locksmithing, investigative methods, self-defense, undercover operations, survival, police manuals, black market, disappearing, guerrilla war, living free, crime, bugging, spying, shadowing, sabotage, hiding contraband, food storage, much more! Over 500 titles in huge illustrated catalog. $2.00. Loompanics, Box 1197, Port Townsend, WA 98368.

BUSINESS OPPORTUNITIES

MAKE HOMEMADE BOOKLETS. I've earned $187,000 with mine. Money never stops. Free information: Twill, Box 548, Woodville, TX 75979.

BECOME AN ORDAINED MINISTER. Start a nonprofit organization. Many benefits! Credentials and information, $10.00. Universal Life Church, 1335 Seabright Ave. (R), Santa Cruz, CA 95062.

EMPLOYMENT

MARKETING DIRECTOR: Individual with MBA and/or 5 years experience in marketing goods or services through direct-response methods. Knowledge of Austrian economics necessary. New position with rapidly growing company. Send resume and salary history in confidence to: T. N. Peterson, The Company Corp., 725 Market St., Wilmington, DE 19801.

LIBERTARIANS and free-market-oriented individuals: Computerized resume data base serving profreedom organizations seeks your participation. Full range of opportunities and contacts. $1.00 for costs brings permanent, updatable listing. Resume and cover letter to: The Clearinghouse, 325 Pennsylvania Avenue SE, Washington, DC 20003.

FINANCIAL

COMMODITIES—INTERESTED IN TAKING calculated risk to achieve enormous profit potential? Call for information about our programs for the small investor which include disciplined technical and fundamental trading methods. E. Paul Pensyl, First Commodity Corp. of Boston, 1-800/225-6286, 1-617/292-6500.

FOREIGN CURRENCY INVESTMENT SECRETS. Inexpensive, confidential, insured, safe. "Poor Man's Foreign Bank," $2. SORF, Box 11223-A, San Francisco, CA 94101.

HOUSING

WANTED! MANHATTAN SUBLET: minimum three months. Secure building, prefer one bedroom—walk-up o.k. but pleasant neighborhood a must. Will consider Brooklyn Heights. Monies negotiable. References. Nicole Bergland, 12248 Spring Trail, San Fernando, CA 91342.

ORGANIZATIONS

ARE LIBERTARIANS ATHEISTS? Not the Christian Libertarians in the Galatians Fellowship. Write for free newsletter: Box 368, Far Hills, NJ 07931.

JOIN THE AYN RAND MEMORIAL Library Association (no dues, no contributions asked). Box 822, Whittier, CA 90608.

PERSONALS

W/M RESORT OPERATOR, 36, newly emerging libertarian, wants to meet young woman with similar views to exchange ideas and pursue whatever other interests that may evolve. Anywhere in Missouri. Box JM, REASON.

WANT TO BUY old NBI records or tapes and hardback dopy of *Capitalism: The Unknown Ideal.* Write to John Warr, 12,810 Wildacres Rd., Largo, FL 33543.

ALTERNATE IDENTITIES, name changes, etc. Custom-made badges, IDs. List $2.00 (refundable). CWL, Box 3230, Pasadena, CA 91103.

PRODUCTS

MICROCOMPUTER SOFTWARE, 10-40% discount. Games and business for Apple, Atari, IBM, TRS-80, etc. Visi-Calc, $189.95 plus $3.00 shipping. $1.00 (refundable) for catalog. Helios, 805B, Chapel Hill, West Dr., Indianapolis, IN 46224; 317/923-5825.

DISCOVER PURE WATER!!! Home Distillers remove all impurities. Many models. Special low prices!!! Waterwise, Box 45983, Centerhill, FL 33514; toll free 1-800/874-9028.

NEW AMERICA, OUR TOWN, MAZE, plus fifty other cooperative games! Illustrated catalog, 25¢: Family Pastimes (R), Perth, Ontario, Canada K7H3C6.

NEGATIVE ION GENERATORS for clean, mountain-fresh air in your home, office, or car. Write for free buyers guide. Fresh Air Products, Box 42555RE, Los Angeles, CA 90042.

POLITICAL MESSAGE ON MAIL STICKER: "Voting REPUBLICRAT—Means More of the Same—Don't Waste Your Vote!—VOTE LIBERTARIAN." White letters, green background. 1"x 1½", 800 for $5.00. Phyllis Kaskus, 1226 Franklin St., Santa Monica, CA 90404.

BE reasonABLE! REASON T-shirts, white lettering on black shirt, available for $6.50 each (includes postage & handling). S, M, L, XL. REASON ENTERPRISES, Box 40105, Santa Barbara, CA 93103.

PUBLICATIONS

"IMAGINE FREEDOM: a libertarian introduction," Stormy Mon, editor. Covers all issues: abortion-zoning, including tax protest. $9. libertarian library, Box 1363C, Aspen, CO 81612.

THE AYN RAND LETTER, vol. 1, no. 1 (Oct. 71) to vol. 3, no. 13 (Mar. 74) complete. *The Objectivist,* vol. 7, no. 6 (June 68) to vol. 8, no. 4 (Apr. 69); vol. 8, no. 6 (June 69) to vol. 10, no. 9 (Sept. 71). $300.00 or best reasonable offer! Jerr, 509/452-2540 after 6:00 P.M. PDT.

"136 BIBLICAL CONTRADICTIONS," "49+ Biblical Absurdities," unique booklist, more! $3.00, Crusade Publications, Dept. R, Box 200, Redmond, WA 98052.

TROUBLE EXPLAINING libertarianism to Christian friends, relatives? Read *The Christian Freedom Letter* or give subscription. Libertarian views, Christian perspective. Monthly. $20/year ($30 overseas airmail). Galatians Communications, Box 368, Far Hills, NJ 07931.

REAL ESTATE

SURVIVAL RETREATS—120- to 500-acre parcels in Mendocino County, No. California. $750 per acre and up. Seclusion, abundant spring water, firewood, and garden sites. Write or call for free brochure of retreats and other properties. Libertarian Broker, Strider Real Estate, P.O. Box 554-R, Laytonville, CA 95454. 707/984-6644.

SERVICES

NONPROFIT CORPORATION offers sex therapy program for partnered or unpartnered clients. Center for Counseling and Therapy, P.O. Box 1197, Santa Cruz, CA 95061.

FICTION CONSULTANT. John D. McCall, 2227 20th St. N.W., #402, Washington, DC 20009.

RATES: 50 cents per word, $7.50 minimum. Telephone numbers count as one word; box numbers count as two words. Add $1.50 per insertion for REASON box number. *Payment must accompany all orders.* Copy must be received by the first day of the month two months prior to issue date (e.g., advertising for the March issue, which is mailed in February, should reach us by January 1). Check or money order should be made payable to REASON and sent to REASON Classified, Box 40105, Santa Barbara, CA 93103.

THE CLASSIFIED AD DEADLINE FOR THE NOVEMBER ISSUE IS SEPTEMBER 1.

IF YOU'VE EVER CHEATED ON YOUR TAXES ...IT WASN'T NECESSARY!

"Good planning is the **only** legitimate alternative to paying taxes," a tax-free millionaire once stated.

Now, **you** can take advantage of this "alternative" to paying taxes too!

The World Money Analyst "ZERO-TAX STRATEGY" seminar was created specifically to give businessmen and investors like you the opportunity to actually sit down and design your own "zero" tax strategy under the personal guidance of 10 of the world's leading tax and investment experts.

When you leave this exciting, 2½ day seminar, you'll have in your hands a specific, legal tax strategy you can use effectively during the entire 1980s and beyond... your own personal tax strategy that will allow you to reduce your current net taxable income to $20,000 a year or less — no matter how much you make — or you'll get your entire seminar fee returned in full! In fact, most seminar attendees will actually be able to reduce their taxes to ZERO!

Here's why this seminar may be the single most important event you'll attend this year:

- You'll learn how to design a complete, coherent tax plan that will — **at the very least** — reduce your net taxable income to $20,000 a year no matter how much more than that you currently earn... and quite possibly reduce your yearly taxes all the way to ZERO! Not a smorgasbord of tax tips, but a full, legitimate tax strategy **designed specifically for you.**
- You'll be shown how to implement a tax plan that actually **takes care of itself** so you have plenty of time for your other important interests! The tax strategies described in this seminar recognize that you have business and investment interests to pursue, and that there is more to life than avoiding taxes.
- Your new tax strategy will **not** depend on inflation, deflation or exotic tax theories that are unlikely to survive an IRS audit. Your program will utilize existing tax reduction methods that are perfectly legal, and will last you your entire lifetime no matter which direction the economy moves in!
- Your seminar speakers are working professionals in the field — attorneys, accountants, investment advisors, operating executives — in fact, some of the most respected tax experts to ever come together under one roof.

You won't be bored by long, stuffy lectures or self-aggrandizing speeches by seminar "flies!" The World Money Analyst "ZERO-TAX STRATEGY" seminar consists of 2½ full days of hands-on workshops, exciting tax clinics, one-hour investment panels, personal consultations with the experts on your particular tax problems and fast-paced question-and-answer sessions.

Since registration will be limited to only 200 people, this seminar will allow you easy access to the speakers during the question-and-answer sessions and personal consultations. This way, you'll really be able to **nail them down** on the tax questions you need answered most!

So whether you're salaried, professional, or own your own business... this is the seminar **you need** to solve your tax worries forever! If you can't come, be sure to send your tax advisor.

YOUR $20,000 GUARANTEE.

If, after the first day of the seminar you don't feel you've been presented with enough information to reduce your current net taxable income to $20,000 a year or less — no matter how much more than that you currently make — let us know and we'll refund your entire seminar fee in full... no questions asked.

REMEMBER: GOOD PLANNING IS THE ALTERNATIVE TO PAYING TAXES... AND IT'S NOT TOO LATE TO CUT YOUR TAXES FOR 1982!

YOU'LL BENEFIT FROM THESE WELL-KNOWN TAX, BUSINESS AND INVESTMENT EXPERTS.

- Mark Tier
- Terry Coxon
- Leonard Radomile
- Vern Jacobs
- George Short
- Andre Sharon
- Robert Meier
- Bill Coffin
- Arthur Young & Co., Rep.
- Robert Martin

SEMINAR DATES: September 24th-26th, Los Angeles
October 1st-3rd, Nassau

SEMINAR PRICE: $395 one person (You can bring two additional guests at $295 each!)

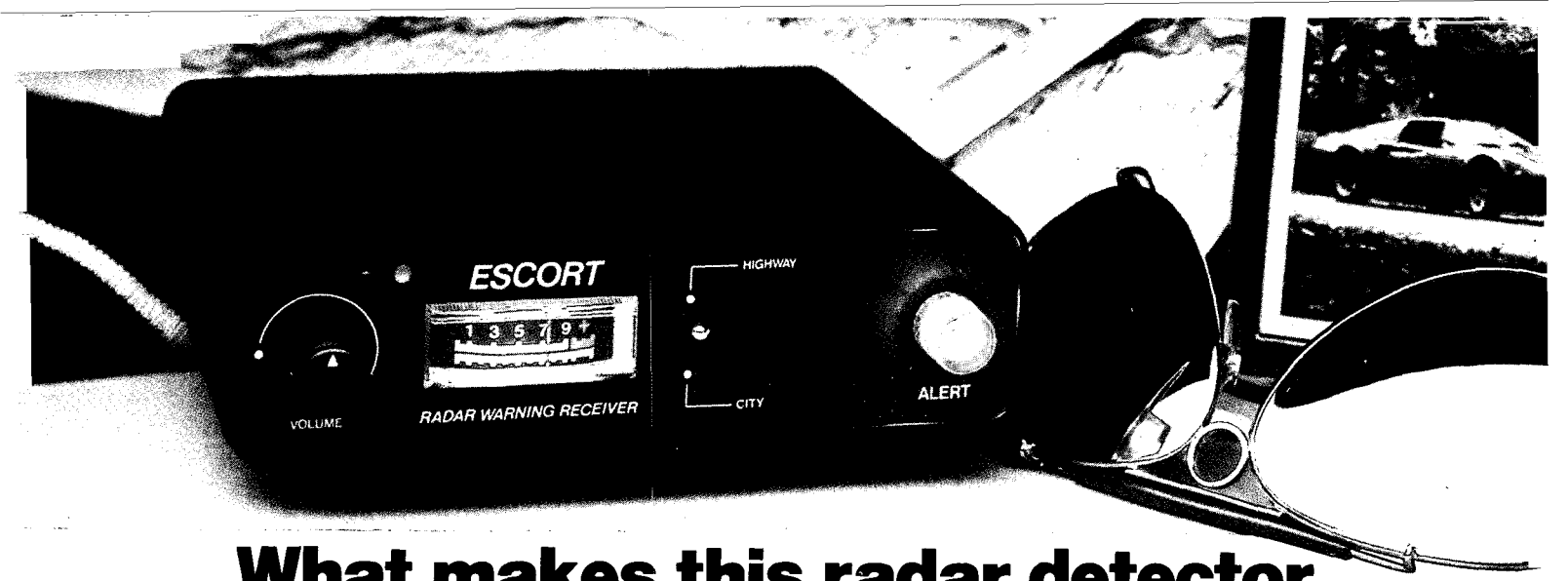
TIME IS SHORT!

CALL NOW FOR RESERVATIONS TO THE WORLD MONEY ANALYST ZERO-TAX STRATEGY SEMINAR OF YOUR CHOICE:

(714) 751-5059

FOR HOTEL AND TRAVEL ACCOMMODATIONS CALL (202) 362-6100 (Collect is Fine)

OR WRITE: World Money Analyst U.S. Office
P.O. Box 2381
Costa Mesa, CA 92626



What makes this radar detector so desirable that people used to willingly wait months for it?

Anyone who has used a conventional passive radar detector knows that they don't work over hills, around corners, or from behind. The ESCORT® radar warning receiver does. Its uncanny sensitivity enables it to pick up radar traps 3 to 5 times farther than common detectors. It detects the thinly scattered residue of a radar beam like the glow of headlights on a dark, foggy road. You don't need to be in the direct beam. Conventional detectors do. Plus, ESCORT's extraordinary range doesn't come at the expense of more false alarms. In fact, ESCORT has fewer types and sources of false alarms than do the lower technology units. Here's how we do it.

The unfair advantage

ESCORT's secret weapon is its superheterodyne receiving circuitry. The technique was discovered by Signal Corps Capt. Edwin H. Armstrong in the military's quest for more sensitive receiving equipment. ESCORT's Varactor-Tuned Gunn Oscillator singles out X and K band (10.525 and 24.150GHz) radar frequencies for close, careful, and timely examination. Only ESCORT uses this costly, exacting component. But now the dilemma.

The Lady or The Tiger

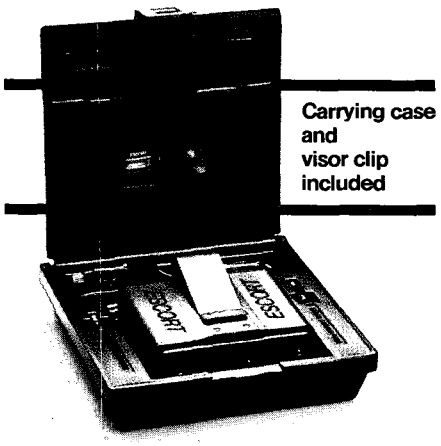
At the instant of contact, how can you tell a faint glimmer from an intense radar beam? Is it a far away glint or a trigger type radar dead ahead? With ESCORT it's easy: smooth, accurate signal strength information. A soothing, variable speed beep reacts to radar like a Geiger counter, while an illuminated meter registers fine gradations. You'll know whether the radar is miles away or right next to you. In addition, the sound you'll hear is different for each radar band. K band doesn't travel as far, so its sound is more urgent. ESCORT keeps you totally informed.

The right stuff

ESCORT looks and feels right. Its inconspicious size (1.5Hx5.25Wx5D), cigar lighter power connector and hook and loop or visor clip mounting make installation easy, flexible, and attractive. The aural alarm is volume adjustable and the alert lamp is photoelectrically dimmed after dark to preserve your night vision. And, a unique city/highway switch adjusts X band sensitivity for fewer distractions from radar burglar alarms that share the police frequency while leaving K band at full strength.

Made in Cincinnati

Another nice thing about owning an ESCORT is that you deal directly with the factory. You get the advantage of speaking with the most knowledgable experts available and saving us both money at the same time. Further, in the unlikely event that your ESCORT ever needs repair, our service professionals are at your personal disposal. Everything you need is only a phone call or parcel delivery away.



Corroborating evidence

CAR and DRIVER . . . "Ranked according to performance, the ESCORT is first choice . . , it looks like precision equipment, has a convenient visor mount, and has the most informative warning system of any unit on the market . . . the ESCORT boasts the most careful and clever planning, the most pleasing packaging, and the most solid construction of the lot."

BMWCCA ROUNDEL . . . "The volume control has a 'silky' feel to it; in fact, the entire unit does. If you want the best, this is it. There is nothing else like it."

PLAYBOY . . . "ESCORT radar detectors . . . (are) generally acknowledged to be the finest, most sensitive, most uncompromising effort at high technology in the field."

PENTHOUSE . . . "ESCORT's performance stood out like an F-15 in a covey of Sabrajets."

AUTOWEEK . . . "The ESCORT detector by Cincinnati Microwave . . . is still the most sensitive, versatile detector of the lot."

The acid test

There's only one way to really find out what ESCORT is all about. We'll give you 30 days to test it for yourself. If you're not absolutely satisfied, we'll refund your purchase as well as pay for your postage costs to return it. In fact, try an ESCORT and any other detector of your choice. Test them both for 30 days and return the one you don't like. We're not worried because we know which one you'll keep. As further insurance for your investment, ESCORT comes with a full one year limited warranty on both parts and labor. This doesn't worry us either because ESCORT has a reputation for reliability. We know that once you try an ESCORT, radar will never be the same again. So go ahead and do it. Order today.

You don't have to wait

Just send the following to the address below:

- ☐ Your name and complete street address.
- ☐ How many ESCORTs you want.
- ☐ Any special shipping instructions.
- ☐ Your daytime telephone number.
- ☐ A check or money order.

VISA MasterCard

Visa and MasterCard buyers may substitute their credit card number and expiration date for the check. Or call us toll free and save the trip to the mail box.

CALL TOLL FREE. . . . 800-543-1608
IN OHIO CALL. 800-582-2696

ESCORT (includes everything). . . . **$245.00**
Ohio residents add $13.48 sales tax.

Extra speedy delivery

If you order with a bank check, money order, Visa, or MasterCard, your order is processed for shipping immediately. Personal or company checks require an additional 18 days.

ESCORT®
RADAR WARNING RECEIVER

☐ CINCINNATI MICROWAVE
Department 013
One Microwave Plaza
Cincinnati, Ohio 45242